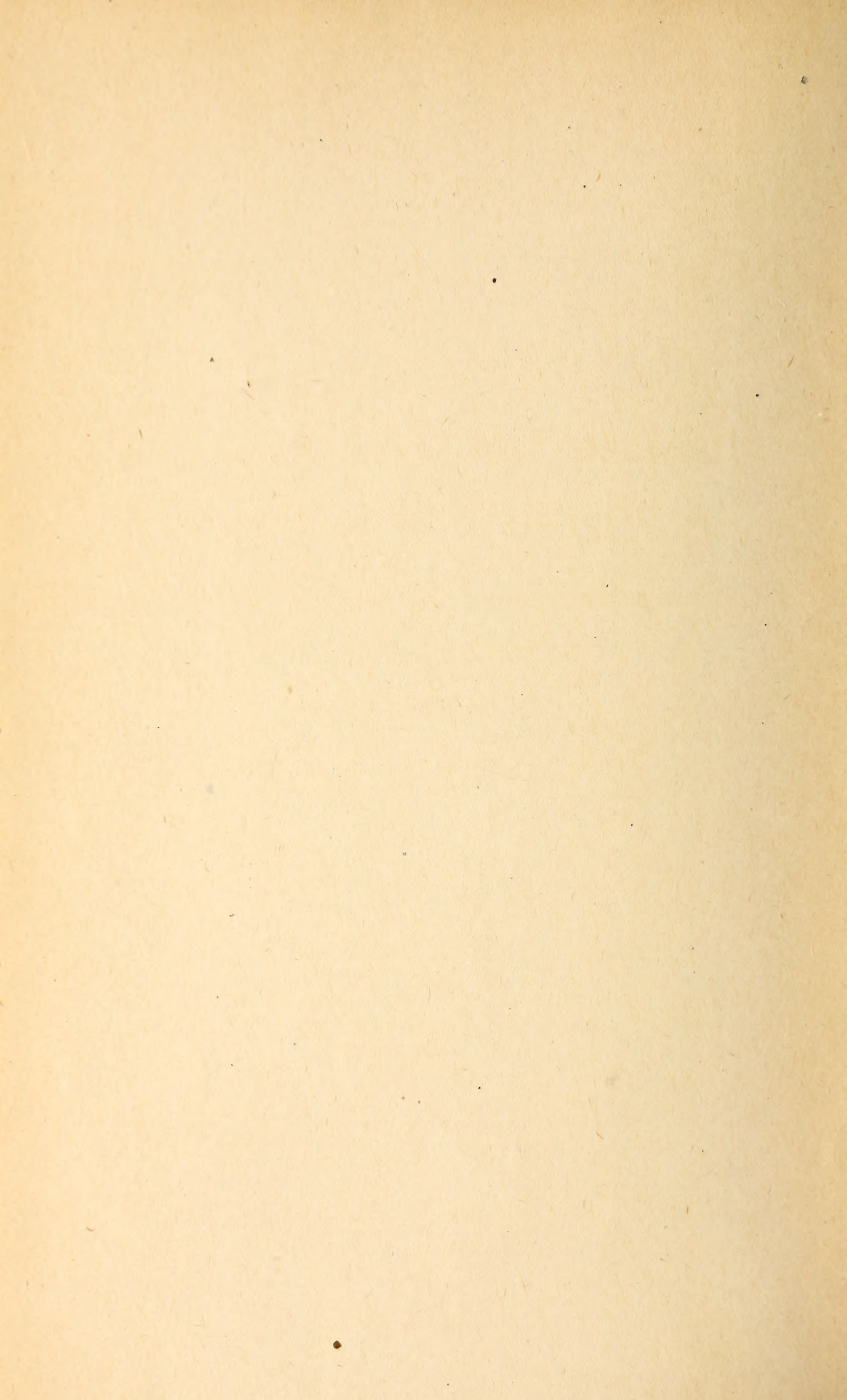


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Statutes  
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# STATUTES

OF THE

## PROVINCE OF ONTARIO

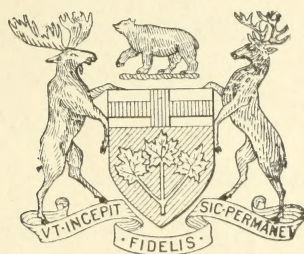
PASSED IN THE SESSION HELD IN THE

Eleventh Year of the Reign of His  
Majesty King George V.

Being the Second Session of the Fifteenth  
Legislature of Ontario

1921

BEGUN AND HOLDEN AT TORONTO ON THE TWENTY-FIFTH DAY OF JANUARY  
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED  
AND TWENTY-ONE;



165-361  
23/9/21

HIS HONOUR LIONEL HERBERT CLARKE  
LIEUTENANT-GOVERNOR

TORONTO  
PRINTED AND PUBLISHED BY CLARKSON W. JAMES  
Printer to the King's Most Excellent Majesty  
1921

Printed by  
THE RYERSON PRESS

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# 11 GEORGE V.

## CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1921, and for the Public Service of the financial year ending the 31st day of October, 1922.

*Assented to May 3rd, 1921.*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from His Honour Preamble.  
Lionel H. Clarke, Esq., Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1921, and for the financial year ending the 31st day of October, 1922, and for other purposes connected with the public service, May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

**1.** From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Thirty-nine million, three thousand eight hundred and six dollars and seventy-five cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the first day of November, 1920, to the thirty-first day of October, 1921, as set forth in Schedule "A" to this Act. \$39,003,-  
806.75  
granted  
for year  
ending 31st  
October,  
1921.

**2.** From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Twenty-nine million, two hundred and six thousand one hundred and fifty-eight dollars and sixty-eight cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided \$29,206,-  
158.68  
granted  
for fiscal  
year 1921-22.

provided for, from the first day of November, 1921, to the thirty-first day of October, 1922, as set forth in Schedule "B" to this Act.

Accounts  
to be laid  
before  
Assembly.

**3.** Accounts in detail of all moneys received on account of this Province during the said financial year 1920-1921 and of all expenditures under Schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1921-1922 and of all expenditures under Schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations  
for  
1920-1921  
unexpended.

**4.** Any part of the money under Schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1921, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations  
for  
1921-1922  
unexpended,  
to lapse.

**5.** Any part of the money under Schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the thirty-first day of October, 1922, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting  
for ex-  
penditure.

**6.** The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of  
Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-one and the purposes for which they are granted:

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Lieutenant-Governor's Office..	\$1,025 00	
Department of the Prime Minister and President of the Council . . . . .	6,385 00	
Attorney-General's Department	16,050 00	
Lands and Forests Department	4,206 25	
Mines Department . . . . .	4,256 00	
Public Works Department ...	10,050 00	
Department of Public Highways . . . . .	86,502 02	
Game and Fisheries Department . . . . .	2,850 00	
Department of Labour . . . . .	39,224 90	
Treasury Department . . . . .	14,349 00	
Audit Office . . . . .	14,866 66	
Provincial Secretary's Department . . . . .	44,350 00	
Department of Agriculture ..	3,100 00	
Miscellaneous . . . . .	4,650 00	
		\$251,864 83

## LEGISLATION.

To defray expenses of Legislation.....	\$86,615 00
--	-------------

## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice . . . . .	\$272,224 66
---	--------------

## EDUCATION.

To defray expenses of:

Public and Separate Schools Education . . . . .	\$636,013 75
Normal and Model Schools, Toronto . . . . .	6,616 67

Normal

Normal and Model Schools,	
Ottawa . . . . .	2,189 00
Normal School, London . . . . .	1,600 00
Normal School, Hamilton . . . . .	1,725 00
Normal School, Peterborough . . . . .	1,400 00
Normal School, Stratford . . . . .	1,450 00
Normal School, North Bay . . . . .	3,100 00
English-French Professional	
Training Schools . . . . .	7,965 00
High Schools and Collegiate	
Institutes . . . . .	52,608 27
Public Libraries, Art Schools,	
Historical, Literary and	
Scientific Societies . . . . .	15,950 00
Technical Education . . . . .	489,175 00
Provincial and other Univer-	
sities . . . . .	1,545,344 00
The Ontario School for the	
Deaf, Belleville . . . . .	12,275 67
The Ontario School for the	
Blind, Brantford . . . . .	1,800 00
Northern Academy, Monteith . . . . .	58,980 00
Miscellaneous . . . . .	66,787 00
	<hr/>
	\$2,904,979 36

## PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville..	\$25,500 00
Ontario Hospital, Cobourg...	16,400 00
Ontario Hospital, Hamilton..	64,900 00
Ontario Hospital, Kingston ..	18,200 00
Ontario Hospital, London ....	36,000 00
Ontario Hospital, Mimico....	14,000 00
Ontario Hospital, Orillia.....	12,500 00
Ontario Hospital, Penetang-	
uishene . . . . .	12,500 00
Ontario Hospital, Whitby ...	63,500 00
Ontario Hospital, Woodstock.	10,800 00
Ontario Reformatory, Guelph	80,550 00
Ontario Reformatory, Indus-	
tries . . . . .	71,400 00
Ontario Brick and Tile Plant,	
Mimico . . . . .	5,000 00
Industrial Farm, Burwash ..	17,500 00
Industrial Farm, Fort William	2,800 00
Miscellaneous : . . . .	7,826 00
	<hr/>
	\$459,376 00

AGRICULTURE.

## AGRICULTURE.

To defray expenses of a grant in aid of Agriculture . . . . .	\$122,344 02
---	--------------

## COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Immigration . . . . .	\$8,500 00
--	------------

## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hospitals and Charities . . . . .	\$111,093 40
---	--------------

MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Government House . . . . .	\$800 00	
Parliament and Departmental Buildings . . . . .	108,153 00	
Osgoode Hall . . . . .	8,200 00	
Miscellaneous . . . . .	23,816 00	
	<hr/>	\$140,969 00

## PUBLIC BUILDINGS.

To defray expenses of:

Osgoode Hall . . . . .	\$21,500 00
------------------------	-------------

Public Institutions:

Ontario Hospital, Brockville..	4,000 00
Ontario Hospital, Hamilton ..	66,500 00
Ontario Hospital, Kingston..	35,636 72
Ontario Hospital, London ....	11,000 00
Ontario Hospital, Mimico ...	10,000 00
Ontario Hospital, Orillia ....	13,500 00
Ontario Hospital, Whitby ...	393,000 00
Ontario Hospital, Woodstock.	3,500 00
Industrial Farm, Burwash ...	35,350 00

Educational:

Normal and Model Schools, Toronto . . . . .	61,300 00
Normal and Model Schools, Ottawa . . . . .	9,400 00

Normal

Normal School, London . . . . .	2,570 00
Normal School, Hamilton . . .	2,080 00
Normal School, Peterborough.	2,750 00
Normal School, Stratford . . .	1,950 00
Normal School, North Bay ..	1,400 00
Training Schools . . . . .	29,345 44
The Ontario School for the Deaf, Belleville . . . . .	95,575 75
The Ontario School for the Blind, Brantford . . . . .	9,366 20
Northern Academy, Monteith.	47,000 00

## Agriculture:

Ontario Agricultural College..	222,400 00
Ontario Veterinary College ..	500 00
Horticultural Experimental Station, Jordan Harbor....	11,000 00

## Districts:

Algoma . . . . .	1,450 00
Kenora . . . . .	300 00
Manitoulin . . . . .	200 00
Muskoka . . . . .	300 00
Nipissing . . . . .	1,400 00
Parry Sound . . . . .	38,400 00
Rainy River . . . . .	2,000 00
Sudbury . . . . .	36,600 00
Temiskaming . . . . .	24,010 00
Thunder Bay . . . . .	20,600 00
Miscellaneous . . . . .	500 00

---

Total Public Buildings . . . . . \$1,216,384 11

## PUBLIC WORKS.

To defray expenses of Public Works..... \$295,150 00

## DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour \$633,910 52

## COLONIZATION ROADS.

To defray expenses of Construction and  
Repairs . . . . . \$650,681 75

## DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public  
Highways . . . . . \$25,697 60

GAME

## GAME AND FISHERIES.

To defray expenses of Game and Fisheries.. \$62,656 50

## ATTORNEY-GENERAL'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Attorney-General's  
Department, Miscellaneous ..... \$106,900 00

## TREASURY DEPARTMENT—MISCELLANEOUS.

To defray expenses of Treasury Department,  
Miscellaneous ..... \$101,042 78

## PROVINCIAL SECRETARY'S DEPARTMENT—MISCELLANEOUS.

To defray expenses of Provincial Secretary's  
Department, Miscellaneous ..... \$251,300 00

## LANDS AND FORESTS.

To defray expenses on account of Lands and  
Forests ..... \$353,500 00

## MINES.

To defray expenses on account of Mines.... \$47,200 00

## REFUNDS.

To defray expenses on account of Refunds.. \$97,230 46

## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure..... \$13,203 43

## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-  
Electric Power Commission of Ontario..\$29,347,700 00

THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY  
COMMISSION.

To defray expenses on account of the Temis-  
kaming and Northern Ontario Railway  
Commission .....\$1,443,283 33

Total Estimates for Expenditure of 1920-  
1921 .....\$39,003,806 75  
SCHEDULE

## SCHEDULE "B."

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and twenty-two and the purposes for which they are granted:

## CIVIL GOVERNMENT.

To defray the expenses of the several Departments at Toronto:

Lieutenant-Governor's Office..	\$5,450 00
Department of the Prime Minister and President of the Council . . . . .	32,250 00
Attorney-General's Department	156,350 00
Education Department . . . . .	79,875 00
Lands and Forests Department	218,700 00
Mines Department . . . . .	125,800 00
Public Works Department....	80,250 00
Department of Labour . . . . .	377,000 00
Department of Public Highways . . . . .	220,125 00
Game and Fisheries Department . . . . .	56,425 00
Treasury Department . . . . .	101,725 00
Audit Office . . . . .	49,000 00
Provincial Secretary's Department . . . . .	256,850 00
Department of Agriculture ..	117,800 00
Miscellaneous . . . . .	25,175 00
	<hr/> \$1,902,775 00

## LEGISLATION.

To defray the expenses of Legislation..... \$320,250 00

## ADMINISTRATION OF JUSTICE.

To defray expenses of Administration of Justice . . . . . \$981,075 00

## EDUCATION.

To defray expenses of:

Public and Separate School Education . . . . .	\$3,128,865 00
Normal and Model Schools, Toronto . . . . .	123,867 00

Normal

Normal and Model Schools,	
Ottawa . . . . .	84,760 00
Normal School, London . . . .	42,490 00
Normal School, Hamilton . . .	37,620 00
Normal School, Peterborough.	38,750 00
Normal School, Stratford . . .	37,000 00
Normal School, North Bay . .	57,950 00
English-French Professional	
Training Schools . . . . .	60,755 00
High Schools and Collegiate In-	
stitutes . . . . .	222,500 00
Departmental Library and	
Museum . . . . .	17,600 00
Public Libraries, Art Schools,	
Historical, Literary and Sci-	
entific Societies . . . . .	119,700 00
Technical Education . . . . .	891,150 00
Superannuated Public and	
High School Teachers . . . .	70,150 00
Provincial and other Univer-	
sities . . . . .	781,720 00
The Ontario School for the	
Deaf, Belleville . . . . .	141,030 00
The Ontario School for the	
Blind, Brantford . . . . .	95,634 00
Northern Academy, Monteith.	44,980 00
Miscellaneous . . . . .	38,200 00
	<hr/>
	\$6,034,721 00

## PUBLIC INSTITUTIONS.

To defray expenses of:

Ontario Hospital, Brockville.	\$239,422 00
Ontario Hospital, Cobourg...	121,000 00
Ontario Hospital, Hamilton..	296,265 00
Ontario Hospital, Kingston..	195,305 00
Ontario Hospital, London....	282,887 00
Ontario Hospital, Mimico....	202,480 00
Ontario Hospital, Orillia ....	205,927 00
Ontario Hospital, Penetang-	
uishene . . . . .	119,140 00
Ontario Hospital, Toronto....	197,667 00
Ontario Hospital, Whitby...	356,594 00
Ontario Hospital, Woodstock.	83,306 00
Ontario Reformatory . . . . .	127,550 00
Ontario Reformatory, Indus-	
tries . . . . .	170,400 00
Mercer Reformatory, Toronto	60,250 00

Mercer

Mercer Reformatory, Indus-	
tries . . . . .	10,000 00
Industrial Farm, Burwash...	183,674 00
Industrial Farm, Fort Wil-	
liam . . . . .	24,020 00
Miscellaneous . . . . .	73,925 00
	<hr/> \$2,949,812 00

## AGRICULTURE.

To defray expenses of a grant in aid of Agri-	
culture . . . . .	\$1,366,868 00

## COLONIZATION AND IMMIGRATION.

To defray expenses of Colonization and Im-	
migration . . . . .	\$163,100 00

## HOSPITALS AND CHARITIES.

To defray expenses of a grant in aid of Hos-	
pitals and Charities . . . . .	\$789,300 00

MAINTENANCE AND REPAIRS OF GOVERNMENT AND  
DEPARTMENTAL BUILDINGS.

To defray expenses of:

Government House . . . . .	\$26,800 00
Parliament and Departmental	
Buildings . . . . .	345,111 35
Osgoode Hall . . . . .	51,875 00
Miscellaneous . . . . .	61,600 00
	<hr/> \$485,386 35

## PUBLIC BUILDINGS.

To defray expenses of:

Parliament and Departmental	
Buildings . . . . .	\$100,000 00
Osgoode Hall . . . . .	7,000 00
Public Institutions . . . . .	241,000 00
Educational . . . . .	190,250 00
Agriculture . . . . .	154,600 00
Districts . . . . .	217,600 00
Miscellaneous . . . . .	177,000 00
	<hr/> \$1,087,450 00

## PUBLIC WORKS.

To defray expenses of Public Works.....	\$180,833 33
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DEPARTMENT

## DEPARTMENT OF LABOUR.

To defray expenses of Department of Labour \$1,462,500 00

## COLONIZATION ROADS.

To defray expenses of Construction and Repairs . . . . . \$107,300 00

## DEPARTMENT OF PUBLIC HIGHWAYS.

To defray expenses of Department of Public Highways . . . . . \$1,163,020 00

## GAME AND FISHERIES.

To defray expenses of Game and Fisheries.. \$466,400 00

## ATTORNEY-GENERAL'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Attorney-General's Department, Miscellaneous . . . . . \$408,500 00

## TREASURY DEPARTMENT, MISCELLANEOUS.

To defray expenses of Treasury Department, Miscellaneous . . . . . \$446,469 00

## PROVINCIAL SECRETARY'S DEPARTMENT, MISCELLANEOUS.

To defray expenses of Provincial Secretary's Department, Miscellaneous . . . . . \$4,150 00

## LANDS AND FORESTS.

To defray expenses on account of Crown Lands . . . . . \$1,388,050 00

## DEPARTMENT OF MINES.

To defray expenses of Department of Mines.. \$128,000 00

## REFUNDS.

To defray expenses of:

Education . . . . .	\$1,500 00	
Lands and Forests . . . . .	25,000 00	
Mines . . . . .	2,500 00	
Succession Duty . . . . .	88,000 00	
Miscellaneous . . . . .	37,000 00	
		<hr/>
		\$154,000 00

MISCELLANEOUS

## MISCELLANEOUS EXPENDITURE.

To defray Miscellaneous Expenditure..... \$83,000 00

## THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

To defray expenses on account of the Hydro-  
Electric Power Commission of Ontario..\$6,943,199 00

THE TEMISKAMING AND NORTHERN ONTARIO RAILWAY  
COMMISSION.

To defray expenses on account of the Temis-  
kaming and Northern Ontario Railway  
Commission . . . . . \$190,000 00

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Total Estimates for Expenditure of 1921-  
1922 . . . . . \$29,206,158 68

## CHAPTER 2.

## An Act respecting the preparation of Voters' Lists.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Voters' Lists Act, 1921*, Short title. and shall apply to every municipality.

**2.** Notwithstanding the provisions of *The Ontario Voters' Lists Act* or *The Election Laws Amendment Act, 1920*, or any other Act, Part I of the voters' lists showing the names of all persons appearing by the assessment roll to be entitled to vote at municipal elections and elections to the Assembly and Part II of the voters' list showing the names of persons entitled to vote at municipal elections only shall be prepared, printed, posted, published and distributed by the clerk of the municipality in accordance with the provisions of *The Ontario Voters' Lists Act* and such parts shall be revised by the county judge as provided by the said last-mentioned Act, and when so revised shall constitute the last revised voters' list of the municipality for all municipal purposes. The clerk of the municipality shall also prepare separately Part III of the voters' list showing the names of all persons appearing by the assessment roll or by the separate or supplementary assessment roll referred to in subsection 4 of section 26 of *The Election Laws Amendment Act, 1920*, as enacted by section 3 of this Act to be entitled to vote at elections to the Assembly only and such lists shall not be printed unless so ordered by the Chief Election Officer, and shall only be subject to revision by the revising officers appointed for such purpose by the election board as provided in *The Election Laws Amendment Act, 1920*.

Voters' lists in cities; Parts I and II only to be printed and revised by county judge.

**3.** Section 26 of *The Election Laws Amendment Act*, 10-11 Geo. V, 1920, is amended by adding thereto the following sub-section:—

10-11 Geo. V, c. 2, amended.

List of  
names of  
provincial  
electors on  
separate  
assessment  
roll.

- (4) The names of persons and the particulars in relation to such persons required by this section to be entered in the assessment roll, and who are not qualified to vote at municipal elections, may be entered in a separate or supplementary assessment roll by the assessor or an assistant assessor appointed and sworn in the same manner as the assessor and all such rolls shall be verified by the assessor or assistant assessor by his affidavit or solemn affirmation according to the following form:—

I (name and residence), make oath and say (or solemnly declare and affirm), as follows:—

I have according to the best of my information and belief set down in the above separate roll the name of every person who is of the full age of twenty-one years, a British subject, and who has been a resident of Ontario for a period of nine months prior to the                      day of                      192  
(the date fixed for the assessor to begin to make up his roll) and who is a resident of the municipality (or electoral district) and qualified in other respects, as I believe, to vote at elections to the Assembly, and who is not qualified to vote at municipal elections.

Commence-  
ment of  
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 3.

An Act to amend The Ontario Public Service  
Superannuation Act.*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Public Service Superannuation Act, 1921.* Short title.

**2.** *The Ontario Public Service Superannuation Act, 1920,* 1920, c. 4, amended. is amended by adding thereto the following section:—

23a.—(1) There shall be payable to every member of the board who is not in receipt of a salary from the Crown, out of any moneys appropriated for the administration of this Act, an allowance not exceeding \$15 per diem for every day's attendance at a meeting of the board and the said sum shall be payable by the Treasurer of Ontario upon the certificate of the chairman of the board. Per diem allowance to members of board.

(2) Notwithstanding anything in *The Legislative Assembly Act* or any other Act contained, a member of the board heretofore appointed who is also a member of the Legislature shall not be rendered ineligible or be disqualified from sitting and voting in the Assembly, nor incur any other penalty or liability whatsoever by reason of his receiving payment under subsection 1. Payment to members of Assembly who are members of board.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent, and shall have effect as from the 15th day of June, 1920. Commencement of Act; to be retroactive to 15th June, 1920.

## CHAPTER 4.

## An Act to amend The Public Inquiries Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Public Inquiries Amendment Act, 1921*.

Proceedings  
against  
commis-  
sioners.

**2.**—(1) No action or other proceeding heretofore commenced shall be continued, and no action or other proceeding shall be hereafter commenced with respect to anything done or sought to be done by any commissioner or commissioners appointed under *The Public Inquiries Act*, or to restrain or interfere with, or otherwise direct or affect the conduct of any such commissioner or commissioners.

Rev. Stat.,  
c. 18.Stated  
case when  
objection  
taken to  
proceedings.

(2) Where the validity of any commission issued under the said Act, or the jurisdiction of a commissioner or commissioners under any such commission is called in question, or any decision, order, direction or other act of a commissioner or commissioners is objected to by any person affected by the inquiry, or by such decision, order, direction or other Act, the commissioner or commissioners upon the request of such person shall state a case in writing to the Appellate Division setting forth the circumstances and containing or accompanied by such information and documents as will enable the Appellate Division to decide the matter in question and such question may be set down and argued before a Divisional Court and the decision of such Court thereon shall be final and binding upon the commissioner or commissioners and upon all other persons.

Application  
to Divisional  
Court for  
order to  
Commis-  
sioners to  
state case.

(3) If the commissioner or commissioners refuse to state a case at the request of any person affected by the inquiry or any decision, order, direction or other act of the commissioner or commissioners, such person may apply to a Divi-

sional

sional Court for an order directing the commissioner or commissioners to state a case upon the matter in question, and upon such application the Divisional Court may in its discretion give such direction or make such order refusing the application or allowing the same as to it may seem just and may give such directions to the commissioner or commissioners as may appear necessary for the proper statement of the case and its submission to the Court.

(4) Pending the decision of the stated case no further proceedings shall be taken by the commissioner or commissioners with respect to the matter in question. Stay as to matter in question pending decision.

(5) Nothing in this section shall prevent the Lieutenant-Governor in Council from at any time revoking or modifying or enlarging the scope of any commission issued under this Act. Powers of Crown preserved.

**3.** This Act shall come into force on the day upon which it shall receive the Royal Assent. Commencement of Act.

## CHAPTER 5.

## An Act respecting the Office of King's Printer.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The King's Printer Act, 1921.*

King's  
Printer;  
appointment  
of by  
Lieutenant-  
Governor in  
Council.

**2.** There shall continue to be an officer in the Public Service at the seat of Government at Toronto to be known as the King's Printer, who shall be appointed by the Lieutenant-Governor in Council, and shall hold office during pleasure.

Additional  
duties of  
King's  
Printer.

**3.** In addition to the duties heretofore performed by the King's Printer, he shall—

(a) Act as accountant to the Legislative Assembly;

(b) Purchase supplies for the various departments of the Government at Toronto whenever directed by any general or special order of the Lieutenant-Governor in Council;

(c) Inspect and test all paper supplied to the Legislative Assembly or to any of the departments of the Government at Toronto under contract or otherwise, and see that in quality, weight and price the paper so supplied conforms to the requirements and specifications contained in the contract, instrument or instructions under which the same is purchased;

(d)

(d) See that supplies of stationery and other goods furnished to the departments of the Government at Toronto are of standard quality;

(e) Use all means in his power to prevent extravagance or waste in the purchase of supplies from his office;

(f) Perform such other duties as may be required by the Lieutenant-Governor in Council.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 6.

## An Act to amend The Provincial Loans Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,  
c. 21,  
amended.

**1.** *The Provincial Loans Act* is amended by adding thereto the following section:—

Provincial  
securities,  
how  
executed.

13. The Lieutenant-Governor in Council may provide for the manner of executing provincial securities, and that the signature of the Provincial Treasurer upon provincial securities and the coupons attached thereto may be lithographed or engraved, the securities being in such case countersigned by the assistant treasurer or such officer or officers of the Treasury Department as may be appointed for the purpose.

Commence-  
ment of Act.

**2.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 7.

## An Act for raising Money on the Credit of the Consolidated Revenue Fund.

*Assented to May 3rd, 1921.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding twenty million dollars (\$20,000,000) for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario, and for the carrying on of the public works authorized by the Legislature.

Loan for  
\$20,000,000  
authorized.

**2.** The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council, and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Terms  
to be  
fixed by  
Lieutenant-  
Governor.

**3.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in sub-section 2 of section 4 of *The Provincial Loans Act*.

Sinking  
fund.  
  
Rev. Stat.,  
c. 21.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 8.

## An Act to amend The Current Rate of Interest Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1917, c. 8,  
s. 2,  
amended.

1. Section 2 of *The Current Rate of Interest Act* is amended by inserting after the word “debentures” in the tenth line thereof, the words “heretofore or”.

Commence-  
ment of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 9.

## An Act to amend The Audit Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Sections 5 and 6 of *The Audit Act* are repealed and the following substituted therefor:—

Rev. Stat.  
c. 23, ss.  
5 and 6,  
repealed.

5. There shall be an assistant auditor who shall be appointed by the Lieutenant-Governor in Council and who, in case of the absence of the Auditor owing to illness or otherwise, or in case of a vacancy in the office, shall during such absence or vacancy possess the powers and perform the duties of the Auditor.

Assistant  
Auditor.

6. The Lieutenant-Governor in Council, upon the recommendation of the Auditor, may appoint such officers, clerks or persons as the Auditor may deem necessary to be employed in the audit office.

Appoint-  
ment of  
officers.

**2.** Section 15 of *The Audit Act* is repealed and the following substituted therefor:—

Rev. Stat.  
c. 23, s. 15,  
repealed.

15. Every cheque issued by the Treasurer shall be countersigned by the Auditor or by an officer designated by the Auditor for that purpose, but before any cheque is countersigned the Auditor shall satisfy himself that the issue of the cheque is authorized.

Counter-  
signing  
cheques.

**3.** Section 5 of *The Audit Act*, as enacted by this Act, shall take effect from and after the first day of January, 1921.

Commence-  
ment of  
section 5.

## CHAPTER 10.

## An Act to amend The Succession Duty Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Succession Duty Amendment Act, 1921*.

1914,  
c. 10, s 7,  
amended.

**2.** Section 8 of *The Succession Duty Act*, as enacted by *The Succession Duty Act, 1914*, and amended by section 4 of *The Succession Duty Act, 1915*, and by section 3 of chapter 6 of the Acts passed in the eighth year of His Majesty's reign and by *The Succession Duty Amendment Act, 1920*, is further amended by striking out the figures "\$100,000" in the second line of subsection 2 thereof and substituting therefor the figures "\$50,000," and by striking out the figures "\$5,000" in the second line of subsection 3 thereof and substituting therefor the figures "\$10,000," and by striking out the figures "\$50,000" in the second line of subsection 4 thereof and substituting therefor the figures "\$10,000."

Rates of  
duty.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 11.

## An Act to amend The Mining Tax Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mining Tax Amendment Act, 1921.* Short title.

**2.** Clause *c* of section 2 of *The Mining Tax Act* is repealed and the following substituted therefor:— Rev. Stat., c. 26, s. 2, amended.

(*c*) “Minister” shall mean Minister of Mines.

**3.** Subsection 3*a* of section 5 of *The Mining Tax Act*, 1917, c. 2, s. 4, as enacted by section 4 of *The Mining Tax Act, 1917*, is amended. repealed.

**4.** Wherever the word “bureau” occurs in *The Mining Tax Act* the same shall be struck out and the word “department” substituted therefor. Rev. Stat., c. 26, s. 11, amended.

**5.** Subsection 3 of section 14 of *The Mining Tax Act* is repealed, and the following substituted therefor:— Rev. Stat., c. 26, s. 14, sub. 3, repealed.

(3) The said deduction for municipal income tax shall be that amount or part only of the tax under section 5 which arises from or is referable to the mine or mineral workings or part thereof actually situate within the municipality to which the municipal income tax is payable, notwithstanding that another part of what is under that section liable to taxation as a single mine, exists outside the municipality, and the mine assessor may at all times require any additional statements or returns to be made that he may deem necessary for fixing the portion of tax referable to the municipality. Limitation upon deduction for municipal income tax.

1917, c. 7,  
s. 9, repealed.

**6.** Section 15a of *The Mining Tax Act*, enacted by section 9 of *The Mining Tax Act, 1917*, is repealed.

Relief in  
case of  
forfeiture  
for non-  
payment.

**7.** Notwithstanding anything contained in *The Mining Tax Act*, lands or mining rights forfeited to and vested in the Crown thereunder since the 29th day of June, 1920, which are not included in a valid subsisting claim under *The Mining Act of Ontario*, or which have not otherwise been disposed of by the Crown, may be re-granted to the owner or lessee at the time of forfeiture, or his heirs, executors, administrators or assigns, upon payment to the Minister on or before the first day of January, 1922, of the amount of taxes, costs, expenses and penalties, if any, which have accrued or have been incurred, or which would have accrued or have been incurred except for such forfeiture, and the sum of ten dollars for each and every parcel of land, but every such grant shall be subject to any lien or encumbrance existing at the time of the forfeiture and shall be so expressed.

Forfeited  
lands sold  
for non-  
payment of  
school  
taxes.

**8.** Where lands heretofore forfeited to and vested in the Crown under *The Mining Tax Act* have been prior to such forfeiture assessed for school taxes and sold for the non-payment of such taxes, the Minister may cause an examination of such lands to be made, and where it is found upon such examination and report of an officer of the department thereon that such lands are in use and occupation for agricultural purposes, or are suitable for the same, and are not valuable for minerals, the Minister of Lands and Forests, upon report of the Minister of Mines, may deal with such lands and dispose of them under *The Public Lands Act* to the purchaser thereof, if any, under such tax sale, or his representatives or assigns, freed and discharged from all claims for taxes imposed under this Act, but every patent issued for such lands shall be subject to any undischarged lien or encumbrance created by such tax purchaser, his representatives or assigns, and the mines and minerals in such lands shall be reserved, and the patent shall be so expressed.

Release  
from tax.

**9.** Subsection 2 of section 14 of *The Mining Tax Act* is repealed.

Rev. Stat.,  
c. 26,  
s. 14 (2),  
repealed.

Commence-  
ment of  
Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 12.

## An Act to amend The Corporations Tax Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Corporations Tax Act*, Short title. 1921.

**2.** The clause lettered (a) in subsection 2 of section 4 <sup>1914, c. 11, s. 2, amended.</sup> of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, and amended by section 3 of *The Corporations Tax Act, 1920*, is amended by adding thereto the words:—

“and one-tenth of one per cent. on the reserve fund and undivided profits thereof.” Tax on bank reserves.

**3.—**(1) Subsection 7 of section 4 of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by striking out the figures “\$25,” <sup>1914, c. 11, s. 2, amended.</sup> where they occur in the eighth line thereof, and substituting therefor the figures “\$40.” Additional tax on railways.

(2) This section shall not come into force until a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of section.

**4.—**(1) Subsection 11 of section 4 of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, is amended by striking out the words “one-quarter of one per cent.” and substituting therefor the words “one-half of one per cent.” 1914, c. 11, s. 2, amended. Telephone companies.

(2) This section shall not come into force until a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of section.

**5.** Subsection 14 of section 4 of *The Corporations Tax Act*, as enacted by section 2 of *The Corporations Tax Act, 1914*, <sup>1914, c. 11, s. 2, amended.</sup>

1914.

1914, is amended by inserting after the word "company" in the first line the words "other than a railway company" and by inserting after the word "by" in the second line thereof the word "operating" and by striking out the words "one-half of" where they occur in the fifth line thereof.

Rev. Stat.,  
c. 11, s. 7;  
1916,  
c. 8, s. 3,  
amended.

**6.** Section 7 of *The Corporations Tax Act*, as amended by section 3 of chapter 8 of the Ontario Statutes, 1916, is amended by striking out all the words therein after the word "until" in the third line and substituting therefor the words:—

When  
taxes  
to be  
payable.

"the first day of July and in default of payment on the first day of July as aforesaid a penalty of five per centum of the amount of such tax shall be added thereto and thereafter a further penalty of one per centum per month shall be added for each additional month or portion thereof during which the said tax and penalty remain unpaid."

Rev. Stat.,  
c. 11, s. 8,  
amended.  
Time for  
making  
returns.

**7.** Section 8 of *The Corporations Tax Act* is amended by substituting the word "May" for the word "June" where it occurs in the second line thereof.

1914,  
c. 11, s. 5,  
amended.

**8.** Subsection 1 of section 12a of *The Corporations Tax Act*, as enacted by section 5 of *The Corporations Tax Act*, 1914, is amended by adding thereto the following clause:—

Returns of  
stock  
transfers,  
etc., by  
transfer  
agent.

(b) In the case of a company which has duly appointed a trust company as transfer agent for its shares or debenture stock the Treasurer may accept in connection with the annual return of such company a statement from the transfer agent to the effect that the tax on all transfers made during the preceding year has been accounted for in accordance with the provisions of the Act and the regulations pertaining thereto.

Rev. Stat.,  
c. 27, s. 16,  
amended.

**9.** Section 16 of *The Corporations Tax Act* is amended by adding thereto the following subsection:—

Stock  
transfers.

(2) The Lieutenant-Governor in Council may make arrangements with any person for the exclusive sale of stamps to him in any locality and for such time as he may think fit at a discount not exceeding 5 per cent.

Commence-  
ment of  
Act.

**10.** Except as otherwise herein provided, this Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 13.

## An Act respecting the Taxation of Real Estate Transfers.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Land Transfers Tax Act*, Short title.  
1921.

**2.** A tax of one-fifth of one per centum upon the amount Tax on transfers of land. of the purchase price shall be paid by the party registering same upon every transfer, conveyance, deed, instrument, or writing whereby any land, tenements or other realty sold shall be granted, assigned, transferred or otherwise conveyed to or vested in the purchaser or purchasers, or in any other person or persons by his, her or their direction.

**3.** Such tax shall be collected by the registrar or master of titles, as the case may be, before he registers such transfer, conveyance, deed or other instrument, and any registrar or master of titles not paid by salary shall be entitled to retain to his own use two per centum of the moneys collected by him under section 2 hereof. Collection of tax by registrar or master of titles.

**4.** Provided that where any such instrument or instruments may be registered or entered in more than one registry office or land titles office or in a registry and land titles office the tax imposed hereby shall be payable once only in respect of any one transfer or conveyance, and shall be payable upon the delivery to the registrar or lodging in the land titles office the first instrument registered or lodged in such transaction. Tax to be payable only on one registration.

**5.** The registrar and master shall within the first week of each month send to the Treasurer of Ontario a statement of the amount collected during the previous month in respect of said tax and shall pay over the amount thereof, less the Monthly returns by registrar and master.

percentage

percentage provided for in section 3 hereof, to the Treasurer of Ontario for the uses of Ontario.

Affidavit of  
purchaser.

6. The purchaser shall make and file with the registrar or master an affidavit showing the full and true amount of the moneys and the value of any property or security given as consideration.

Where  
instrument  
covers  
lands in  
two or  
more  
divisions.

7. Where the lands covered by such transfer, conveyance or deed are partly in one registry division and partly in another or parts of the land are registered under *The Land Titles Act* and parts are subject to *The Registry Act*, the registrar or master receiving the tax shall retain the percentage mentioned in section 3, and shall pay over to the registrar or master in whose office any conveyance or transfer is subsequently registered or entered, such proportion of the percentage as may be agreed upon between them, and in case of disagreement the amount to be paid shall be determined by the inspector of registry offices.

Payment  
of tax  
under  
protest.

8. Where the right of the registrar or master to require the payment of the tax or any portion thereof under this Act is disputed by the person registering or lodging the transfer or conveyance, the tax may be paid under protest and the registrar or master shall give a receipt in writing signed by him for the amount paid, and shall state that the same has been received, and shall thereupon refer the matter to the decision of the Treasurer, or such official as the Treasurer may appoint, who may order the refund of the tax or any portion thereof to the person who paid the same.

Where  
agreement  
registered  
before  
June 1,  
1921.

9. This Act shall not apply to any transfer where the agreement for sale is registered before the first day of June, 1921.

Commence-  
ment of  
Act.

10. This Act shall come into force and take effect on, from and after the first day of June, 1921.

## CHAPTER 14.

## An Act to license Billiard and Pool Rooms and Bowling Alleys.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Notwithstanding anything to the contrary in any other Act, the Lieutenant-Governor in Council may impose a license upon and make regulations for licensing and deterring billiard and pool rooms and bowling alleys.

Power to license billiard and pool rooms and bowling alleys.

**2.** Every owner, lessee or manager of a billiard room, pool room or bowling alley shall pay in such manner as may be fixed by regulation to the Treasurer of Ontario an annual license fee not exceeding \$50 per annum for each table or alley in cities having a population of over fifty thousand, as ascertained by the last census of Canada, and not more than \$30 per annum for each table or alley in other cities in Ontario and not more than \$20 per annum for each table or alley in other municipalities in Ontario.

License fee.

**3.** Every owner, lessee or manager of a billiard room, pool room or bowling alley shall make such returns to the Treasurer as the Lieutenant-Governor in Council may by regulation require respecting the number of tables or alleys installed or located in such place.

Returns.

**4.** This Act shall come into force on the day on which it receives the Royal Assent.

Commencement.

## CHAPTER 15.

## An Act to amend The Public Lands Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Public Lands Amendment Act, 1921.*

Rev. Stat.,  
c. 28, s. 38,  
amended.     **2.** Section 38 of *The Public Lands Act* is amended by adding thereto the following subsection:—

Settlement  
duties on  
free grants  
where  
locatee  
served in  
Great War.

- (6) Notwithstanding anything contained in this Act, where a person, who, by location or purchase, had acquired land under Part II, and subsequently served in His Majesty's forces or any of the Allied armies during the Great War, and thereby was absent from the land, and prevented from actually residing thereon until after his discharge from the army, the absence so caused shall not be deemed a cessation of settlement duties in respect of clearing and cultivating a minimum of two acres in each of the first three years next after the date of location as required by clause (a), nor of residence as required by clause (c); provided nevertheless that the full settlement duties in respect of clearance and cultivation, and the erection of a house, and subject to the provisions of sub-section 2 hereof, actual and continuous residence and cultivation of said land from the time of said discharge from the army to the time of the issue of the letters patent, shall be performed.

Rev. Stat.,  
c. 28,  
amended.     **3.** *The Public Lands Act* is amended by adding thereto the following section:—

- 60.—(1) Except with the consent in writing of the Minister, public lands, which have been purchased under Part I of this Act, shall not, before the issue of letters patent, be alienated, mortgaged, or charged, either voluntarily or involuntarily, except by devise, or intestacy, or sale under the authority of any Act of the Legislature of Ontario, relating to taxation or statute labour.
- (2) Neither the land nor any interest or right therein, shall, before the issue of letters patent, be liable for the satisfaction of any debt or liability contracted or incurred by the said purchaser, his widow, heirs or devisees.

## CHAPTER 16.

## An Act to amend The Mining Act of Ontario.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Mining Amendment Act, 1921*.

Rev. Stat.,  
c. 32, s. 2,  
cl. j,  
repealed.

**2.** The clause lettered *j* of section 2 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

"Mine,"  
meaning  
of.

(j) The noun "mine" shall include any opening or excavation in, or working of, the ground for the purpose of winning, opening up or proving any mineral or mineral-bearing substance, and any ore body, mineral deposit, stratum, soil, rock, bed of earth, clay, sand, gravel or cement, or place where mining is or may be carried on, and all ways, works, machinery, plant, buildings and premises below or above ground belonging to or used in connection with the mine, and also for the purposes of Parts IX and X, any quarry, excavation or opening in the ground made for the purpose of searching for or removal of mineral, soil, rock, quartz, limestone, earth, clay, sand, gravel or cement and any roast-yard, smelting-furnace, mill, work or place used for or in connection with crushing, reducing, smelting, refining or treating any of said substances.

Rev. Stat.,  
c. 32, s. 2 (c)  
amended.

**3.—(1)** The clause lettered *c* in section 2 of *The Mining Act of Ontario* is amended by striking out the words "Minister of Lands, Forests and Mines" in the fifth line and substituting therefor the words "Minister of Mines."

(2) The clause lettered *d* in the said section is amended by striking out the words "Department of Lands, Forests and Mines," and substituting therefor the words "Department of Mines." Rev. Stat.,  
c. 32 s. 2 (d)  
amended.

(3) The clause lettered *o* of the said section is repealed and the following substituted therefor:— Rev. Stat.,  
c. 32, s. 2 (o)  
repealed.

(o) "Minister" shall mean Minister of Mines except where a contrary intention appears. "Minister."

4. Section 4 of *The Mining Act of Ontario* is repealed. Rev. Stat.,  
c. 32, s. 4,  
repealed.

5.—(1) Subsection 1 of section 6 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" in the fourth line and substituting therefor the word "Department." Rev. Stat.,  
c. 32, s. 6 (1)  
amended.

(2) Section 19 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" where it occurs in the third and tenth lines and substituting therefor the word "Department." Rev. Stat.,  
c. 32, s. 19,  
amended.

(3) Subsection 6 of section 23 of *The Mining Act of Ontario* is amended by striking out the word "Bureau" in the fifth line and substituting therefor the word "Department." Rev. Stat.,  
c. 32,  
s. 23 (6)  
amended.

(4) Clause *b* of section 50 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the ninth line. Rev. Stat.,  
c. 32,  
s. 50 (b)  
amended.

(5) Clause *b* of section 51 of *The Mining Act of Ontario* is amended by inserting the words "of Lands and Forests" after the word "Department" in the tenth line. Rev. Stat.,  
c. 32,  
s. 51 (b)  
amended.

6. Section 11 of *The Mining Act of Ontario* is amended by striking out the words "engaged in educational or other institutions" in the third line thereof. Rev. Stat.,  
c. 32, s. 11,  
amended.

7.—(1) Subsection 1 of section 13 of *The Mining Act of Ontario* is amended by striking out the words "inspecting officer" in the fourth line and inserting after the word "Recorder" in the fourth line the words "or other officer." Rev. Stat.,  
c. 32,  
s. 13 (1)  
amended.

(2) Subsection 2 of the said section is amended by striking out the words "inspecting officer" in the third line, and inserting after the word "Recorder" in the third line the words "or other officer." Rev. Stat.,  
c. 32,  
s. 13 (2),  
amended.

Rev. Stat.,  
c. 32, s. 15,  
amended.

**8.** Subsection 2 of section 15 of *The Mining Act of Ontario* is amended by striking out the figures “\$3” in the third line and substituting therefor the figures “\$4.”

Rev. Stat.,  
c. 32,  
amended.

**9.** *The Mining Act of Ontario* is amended by adding thereto the following section:

36a. No mining claim shall be staked out or recorded on land sold or located under *The Public Lands Act* in which the mines, minerals or mining rights have not been reserved.

Rev. Stat.,  
c. 32,  
(as amended  
by 1920,  
c. 13, s. 5)  
repealed.

**10.** Section 68a of *The Mining Act of Ontario* as enacted by section 5 of *The Mining Amendment Act, 1920*, is repealed, and the following substituted therefor.

Right of  
free assay  
by assay  
office.

68a. Every licensee who stakes out and records a mining claim on his own license shall be given by the Recorder two free assay coupons on recording the same, and two additional free assay coupons on recording each forty days' work thereafter, and on forwarding or delivering, charges prepaid, samples from the mining claim to the Provincial Assayer, Toronto, together with one coupon for each sample, he shall be entitled to have the same assayed for one or other of the following metals—namely, gold, silver, copper, lead, zinc, or metallic iron, or upon forwarding or giving two coupons he may have one assay made for one or other of the following metals—namely, nickel, cobalt, tin or tungsten.

Where claim  
abandoned,  
cancelled or  
forfeited.

68b. Where the recorded holder of a mining claim abandons the same, or where the claim is cancelled or forfeited under this Act, he may take from the same any machinery, chattels or personal property, and any ore or mineral he may have extracted therefrom belonging to him, within six months after such abandonment, cancellation or forfeiture, or within such further time as may be fixed by the Mining Commissioner. Any such machinery, property or ore remaining on the claim after the expiry of such time shall belong to His Majesty for the use of Ontario.

Rev. Stat.,  
c. 32, s. 78,  
subs. 1,  
repealed.

**11.**—(1) Subsection 1 of section 78 of *The Mining Act of Ontario*, as amended by subsection 1 of section 3 of *The Mining Amendment Act, 1914*, is repealed and the following substituted therefor:—

(1)

- (1) The recorded holder of a mining claim heretofore Working conditions on mining claims. or hereafter recorded shall, within five years immediately following the recording thereof, perform or cause to be performed thereon work which shall consist of stripping or opening up mines, sinking shafts or other actual mining operations to the extent of 200 days' work of not less than eight hours per day, which work shall be performed as follows: At least 30 days' work within three months immediately following the recording of the claim, and not less than 40 days in each of the remaining four years, provided that in any one of the said five years 10 days' additional work shall be done to make up the total of 200 days.

(2) Subsection 3 of section 78 of *The Mining Act of Ontario* is repealed and the following substituted therefor:— Rev. Stat., c. 32, s. 78, subs. 3, repealed.

- (3) Boring by diamond or other core drill shall count Drilling. as work at the rate of 2 days' work for every foot of boring.

**12.** Subsection 1 of section 104 of *The Mining Act of Ontario* is amended by inserting after the word "located" Rev. Stat., c. 32, s. 106(2), amended. in the second line the following words "with reservation of mines, minerals or mining rights to the Crown."

**13.** Subsection 2 of section 106 of *The Mining Act of Ontario* as enacted by section 6 of *The Mining Amendment Act, 1915*, is repealed, and the following substituted therefor: Rev. Stat., c. 32, s. 106(2), (as amended by 1915, c. 13, s. 6), repealed.

- (2) The application for a patent or lease shall be made Application for patent. to the Recorder within one year from the date before which all work on a mining claim is required to be performed.

**14.** Section 111a of *The Mining Act of Ontario* as enacted by Chapter 11 of the Ontario Statutes, 1917, is amended by striking out the word "hereafter" in the first line and inserting after the word "Act" in the second line the following words "on or after the 12th day of April, 1917." Rev. Stat., c. 32, s. 111(a), (as enacted by 1917, c. 11, s. 1), amended.

**15.** Subsection 1 of section 112 of *The Mining Act of Ontario* is amended by striking out the word "hereafter" Rev. Stat., c. 32, s. 112(1), (as amended by 1918, c. 9, s. 8), amended. at the end of the first line of the proviso added to the said subsection by section 8 of *The Mining Law Amendment Act, 1918*, and inserting after the word "recorded" in the second line

line of the said proviso the words "on or after the 26th day of March, 1918."

Rev. Stat.,  
c. 32, s. 182(a)  
(as enacted  
by 1916,  
c. 12, s. 4),  
amended.

**16.** Section 183a of *The Mining Act of Ontario* as enacted by section 4 of *The Mining Amendment Act, 1916*, is amended by striking out the words "at intervals of not more than two weeks" in the fifth and sixth lines, and substituting therefor the words "not less frequently than twice a month."

Rev. Stat.,  
c. 32, s. 123,  
repealed.

**17.**—(1) Section 123 of *The Mining Act of Ontario* is repealed and the following substituted therefor:—

Claims,  
rights and  
disputes  
to be  
determined  
by Com-  
missioner.

123.—(1) Except as provided by sections 182 and 183, no action shall lie nor shall any other proceedings be taken in any court as to any matter or thing upon which before or after the issue of the patent any right, privilege or interest conferred by or under the authority of this Act depends, but save as in this Act otherwise provided every claim, question and dispute in respect to any such matter or thing, shall be determined by the Commissioner, and in the exercise of the powers conferred by this section the Commissioner may make such order and give such directions as he may deem necessary for making effectual and enforcing compliance with his decision.

General  
jurisdiction  
of Com-  
missioner.

(2) Without limiting the general powers conferred by the next preceding subsection, it is declared that the Commissioner shall have jurisdiction and power to hear and determine all claims, questions and disputes arising before or after patent between contesting claimants or between the Crown and a claimant:

- (a) For or in respect of any mining claim, quarry claim, mining lands or mining rights or any right, title or interest therein;
- (b) As to the existence, validity or forfeiture of any mining claim, quarry claim, working permit or boring permit, or application therefor or of any right or privilege or interest which may before or after patent be acquired under the provisions of this Act;
- (c) As to the boundaries and extent of the lands or rights included in any mining claim, quarry claim, working permit or boring permit,

permit, or application therefor, or in any such other right, privilege or interest;

(d) As to the right to possession of or the right to enter or prospect upon or stake out any mining claim, quarry claim, mining lands or mining rights;

(e) As to any right claimed under regulations made by the Lieutenant-Governor in Council under the authority of subsection 2 of section 187;

(f) As to whether and to what extent any mining claim or quarry claim or any working permit or boring permit or any other right, privilege or interest acquired by anyone under the provisions of this Act has before or after patent been transferred to or become vested in any other person.

(3) Any party to any proceeding under this Act, which proceeding involves any matter or thing upon which any right, privilege or interest in or in connection with patented mining rights or mining lands, may at any stage of such proceedings, not later than ten days before any date which may have been fixed by the Commissioner for the hearing or trial thereof, apply in the Supreme Court to a judge thereof in chambers at Osgoode Hall, for an order transferring the proceedings, or any question therein, to the Supreme Court, or a judge thereof, on such terms and subject to such directions for the transfer of such proceedings and the continuation and hearing thereof in the Supreme Court and as to costs as may be deemed just.

Transfer of proceedings to Supreme Court.

(2) The amendment made by subsection 1 of this section shall not apply to or affect any action or proceeding pending at the time of the commencement of this Act, nor any claim of right or cause of action that may be asserted in such action or proceeding whether against the original parties thereto or against persons who have subsequently been or who may hereafter be added as parties thereto, and every such action or proceeding may be continued and shall be heard, determined and disposed of as if this section had not been passed.

Pending actions.

**18.** This Act shall come into force on receiving the assent of His Honour the Lieutenant-Governor.

Commencement of Act.

## CHAPTER 17.

## An Act respecting Natural Gas.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Natural Gas Conservation Act, 1921.*

Interpretation.      **2.** In this Act:—

"Minister."      (a) "Minister" shall mean the Minister of Mines.

"Referee."      (b) "Referee" shall mean the Referee appointed under the provisions of *The Municipal Drainage Act.*

"Commissioner."      (c) "Commissioner" shall mean the Natural Gas Commissioner to be appointed under the provisions of this Act.

Powers of Minister and Referee.      **3.**—(1) The Minister shall control and regulate the production, transmission, distribution, sale, disposal and consumption of all natural gas produced in Ontario, and for that purpose shall have and may exercise the powers and duties hereinafter set forth. The Referee shall have and may exercise the original jurisdiction provided by section 6 of this Act as well as the appellate jurisdiction hereinafter set forth. Each shall have regard to the provisions of any general or special Act or Letters Patent, or any agreement, franchise, bargain or arrangement whatsoever and by and between whomsoever made, but he shall have power to depart from or vary such provisions where he finds by enquiry that such action is necessary for conserving the supply or prolonging the service to consumers or furthering the search for or development of new sources of supply of natural gas.

(2) It shall be a good and sufficient defence to any action or other proceeding brought or taken against any person producing, transmitting, distributing or selling natural gas that such person so far as regards the act or omission which is the subject of such action or other proceeding has conducted the production, transmission, distribution or sale of natural gas in accordance with the order or direction of the Minister or Referee, but no order shall be made which shall have the effect of destroying or suspending or limiting the contractual rights of any person or persons, company or corporation without such notice as the Minister or Referee may deem proper, having first been given to such person or persons, company or corporation, and without their being given a reasonable opportunity to present their claims to the Minister or Referee.

Obedience  
to orders of  
Minister  
or Referee  
to be a good  
defence.

4. The Minister shall make such orders or regulations and give such directions from time to time as he may deem proper for the due conservation of the supply of natural gas in Ontario and its transmission to and distribution in such localities and to such consumers, for such periods and at such times as, in the opinion of the Minister, may best serve the general public and particularly the users and consumers of natural gas for domestic purposes.

General  
powers of  
Minister  
as to orders  
and  
regulations.

5. The Minister may make orders or regulations for:—

Orders and  
regulations.

- (a) The closing and cutting off of the supply of natural gas to any corporation, company or individual;
- (b) The construction, alteration or use of any works, machinery, plant, or appliance in and for the development, production, transmission, supply, distribution, measurement, or consumption of natural gas;
- (c) The cutting off of the supply to consumers generally, or to any consumer or consumers in any locality for such periods or at such times as he may deem proper;
- (d) The limiting or restricting or taking away any right conferred upon any person to the use and consumption of natural gas without charge, and for the payment of such compensation to such person as he may deem proper in respect of such limitation, restriction or taking away;
- (e) The allotting or supplying of gas to consumers or persons generally or to any consumer or consumers, person or persons in any locality for such periods or at such times as he may deem proper;

(f)

- (f) The closing down and stopping up of any natural gas well or any works for the production, transmission, distribution or supply of natural gas;
- (g) Requiring returns to be made by any person producing, transmitting or distributing natural gas and for prescribing the form of any such return, the particulars to be included therein and the intervals at which such returns shall be made;
- (h) The appointment of such officers, agents, servants or workmen as may be necessary to carry out and enforce any order made by him under this Act;
- (i) Compelling the installation of such appliances by consumers of natural gas, as he may deem requisite for preventing waste;
- (j) Generally for the better carrying out of the objects and purposes of this Act.

Jurisdiction  
of Referee.

**6.** The Referee may make orders for:—

- (a) Fixing rates to be charged for natural gas;
- (b) Compelling the owner, lessee or licensee of a pipeline to take gas produced by any person or corporation at such price, in such quantities and on such terms as may be fixed by the Referee.

Licenses.

**7.** Licenses may be issued by the Minister upon such terms, and subject to such conditions, and upon the payment of such fees as the Minister may prescribe, to persons for boring, prospecting for, transmitting or distributing natural gas, and no person, whether or not he is the holder of a license, lease or permit from any person or authority other than the Minister, shall bore or prospect for, produce, transmit or distribute natural gas in Ontario, who is not the holder of a license from the Minister permitting him so to do.

Commissioner.

**8.** The Lieutenant-Governor in Council may appoint an officer to be known as the Natural Gas Commissioner.

Remuneration  
and  
expenses.

**9.** The Lieutenant-Governor in Council may make orders providing for the remuneration and expenses of the Referee, Commissioner, officers, agents, servants or workmen in the administration of this Act.

Delegation  
of powers  
of Minister.

**10.** The Minister may delegate to the Commissioner any of the powers and duties which are exercisable by or conferred upon him by this Act.

**11.** No action or other proceeding shall lie against the Referee, Commissioner or any officer, agent, servant or workman for anything done, or purporting to be done under, or in pursuance of the provisions of this Act. Actions not to lie for things done under Act.

**12.** In the exercise of the powers conferred by this Act the Minister or the Commissioner by himself, or the officers, agents, servants, or workmen of the Department of Mines, or any other person authorized by the Minister or Commissioner, may at any time:— Power as to lands and works.

(a) Enter upon, pass over, take up or use any private property or the property of any municipal corporation or of the Crown, or any public place or highway;

(b) Construct, install, lay down and set up or remove, take up, take down, alter or repair any works, plant, machinery or appliance used in the development, production, transmission, supply, distribution or consumption of natural gas,

and where any person has refused or neglected to do anything prescribed by the order of the Minister or by the Regulations, the Minister may cause such thing to be done, and the expenses so incurred shall, when certified by the Minister in writing, signed by him, be a debt due from such person to the Crown and shall be recoverable with costs by action in any court of competent jurisdiction.

**13.**—(1) Any person affected by any decision made or by any act or thing done, or refused or neglected to be done, under the provisions of this Act, may appeal to the Referee, who shall decide the matter and make such order in the premises as he may deem just. Appeal to Referee.

(2) Upon any such appeal, the Referee may require or admit new or additional evidence, or may rehear the matter. Hearing.

**14.** The Referee may review, rescind, change, alter or vary any decision or order made by himself or any person acting under the authority of this Act. Powers of Referee.

**15.**—(1) The Referee may sign and state a case for the opinion of the Appellate Division of the Supreme Court of Ontario upon any question of jurisdiction or of law arising before him. Stated case.

(2) The Appellate Division may, if it thinks fit before giving such opinion, return any such case to the Referee. Amendment of stated case.

Referee for amendment and the Referee may amend the same accordingly.

Argument  
and decision  
in a  
stated case.

(3) The Appellate Division shall hear and determine the question or questions in respect of which such case has been stated, and shall remit the same to the Referee with the opinion of the Court thereon, and the Referee shall be bound by and shall act upon such opinion.

Procedure.

(4) Any party to the proceedings before the Referee may set down such stated case for hearing upon giving ten days' notice to the other party or parties thereto, and at the time of such setting down shall file such notice with proof of service and five copies of such stated case. The Referee at the request of any such party shall transmit to the central office at Osgoode Hall such papers and documents in his possession as he may deem necessary for the determination of the question or questions submitted.

Finality  
of decision  
of Referee.

**16.** Save as provided in sections 14 and 15, every decision or order of the Referee shall be final and shall not be questioned or reviewed in any court.

Costs.

**17.**—(1) The costs of and incidental to any proceeding before the Referee shall be in his discretion and may be fixed in any case at a sum certain or may be taxed.

Order for  
payment  
of costs.

(2) The Referee may order by whom and to whom any costs are to be paid and by whom the same are to be taxed and allowed.

Scale  
of costs.

(3) The Referee may prescribe a scale under which such costs shall be taxed.

Practice.

(4) In matters of practice and procedure, the Referee shall have and exercise all the powers conferred upon him by *The Municipal Drainage Act*.

Offences  
and  
penalties.

**18.**—(1) Every person who:—

- (a) Refuses or neglects to obey any order or direction made or purporting to be made under the authority of this Act after notice of such order or direction; or
- (b) Hinders, delays or obstructs any person in carrying out the provisions of this Act; or
- (c) Wastes or causes to be wasted any natural gas; or
- (d)

- (d) Tamper or interferes with any meter, stop-cock, cut-off or any other matter or thing placed or used or installed by or under the authority of this Act,

shall be guilty of an offence and shall incur a penalty not exceeding \$2,000 and not less than \$10, and shall in default of the payment thereof be imprisoned for a period not exceeding six months.

(2) *The Ontario Summary Convictions Act* shall apply to prosecutions for offences under this Act. Application of Rev. Stat., c. 90.

**19.** Notwithstanding the provisions of *The Ontario Railway and Municipal Board Act* or *The Public Utilities Act*, works for the production, transmission and supply of natural gas shall not be deemed to be public utilities so as to give the Ontario Railway and Municipal Board any jurisdiction respecting the same. Jurisdiction of Railway and Municipal Board excluded.

**20.** *The Natural Gas Act, 1919*, is hereby repealed, but such repeal shall not affect any regulation or order heretofore made by the Ontario Railway and Municipal Board or by the Minister of Mines or by the commissioner under the said Act until the Minister or Referee shall by an order made by him under the authority of this Act, declare such regulation or order no longer in force. 1919, c. 13, repealed.

**21.** In any matter arising under this Act, the commissioner may administer an oath and may take an affidavit, statutory declaration or evidence under oath in any part of Ontario. Power to administer oaths.

**22.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 18.

## An Act to provide for Development Work in Northern and Northwestern Ontario.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Northern and Northwestern Ontario Development Act, 1921*.

Loan of  
\$5,000,000  
authorized.

1912, c. 2.

1918, ch. 8.

1915, c. 6.

1916, c. 11.

1917, c. 12.

1918, c. 8.

1919, c. 14.

1917, c. 13.

**2.** The Lieutenant-Governor in Council is authorized to raise by way of a loan a sum of money not exceeding five million dollars, in addition to the amount provided for by *The Northern and Northwestern Ontario Development Act, 1912*, and *The Northern and Northwestern Ontario Development Act, 1918*, and the proceeds of the loan hereby authorized, and any portion remaining unexpended of the proceeds of any loan made under the said *The Northern and Northwestern Ontario Development Act, 1912*, or the said *The Northern and Northwestern Ontario Development Act, 1918*, shall be applied for the purposes set out in the Act of 1912, and in *The Northern and Northwestern Ontario Development Act, 1915*, *The Northern and Northwestern Ontario Development Act, 1916*, *The Northern and Northwestern Ontario Development Act, 1917*, *The Northern and Northwestern Ontario Development Act, 1918*, *The Northern and Northwestern Ontario Development Act, 1919*, and *The Returned Soldiers' and Sailors' Land Settlement Act*, or any of them.

Terms of  
loan.

**3.** The said additional sum of five million dollars may be borrowed for any term or terms not exceeding fifty years, at such rates as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Sinking  
fund.

**4.** The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue hereby authorized.

orized, and such sinking fund may be at a greater rate than one-half of one per cent. per annum as specified in subsection 2 of section 4 of *The Provincial Loans Act*.

Rev. Stat.,  
c. 21.

**5.** There shall be paid out of the Consolidated Revenue Fund, to the extent of the loan hereby authorized, such sums as the Lieutenant-Governor in Council may from time to time deem necessary for the purposes set out in section 2, or any of them, and the sums shall be expended, by any department, branch, or persons, or through commissioners appointed under the authority of *The Northern and North-western Ontario Development Act, 1912*. <sup>Proceeds of loan set apart for development work.</sup> 1912, c. 2.

**6.** The Lieutenant-Governor in Council may make regulations from time to time for the expenditure of the proceeds of the loan hereby authorized, and prescribing the terms and conditions upon which the same shall be expended, and generally for the better carrying out of the provisions of this Act. <sup>Regulations.</sup>

**7.** Every loan made under the authority of this Act or the Acts mentioned in section 2, shall be subject to the said regulations as to the terms of repayment, security, inspection, interest to be charged, and forms of notices or other documents required or as may be prescribed by the Lieutenant-Governor in Council. <sup>Terms, etc., to be prescribed by order-in-Council.</sup>

**8.** This Act shall be read with the Acts referred to in section 2, and shall come into force on the day on which it receives the Royal Assent. <sup>Act to be read with former Acts.</sup>

## CHAPTER 19.

## The Reforestation Act, 1921.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Reforestation Act, 1921*.

"Minister."      **2.** In this Act "Minister" shall mean The Minister of Lands and Forests.

Minister authorized to acquire lands for reforestation.      **3.** The Minister may acquire by lease, purchase, or otherwise, lands for reforestation purposes within the province, and may lease, sell, or otherwise dispose of the interest of the province in any land thus leased, purchased, or acquired, or the timber thereon.

Powers of Minister.      **4.** Lands acquired under the provisions of this Act shall be under the control and management of the Minister, who may develop, protect, care for, and manage such lands.

Minister may make agreements with owners.      **5.** For purposes of reforesting, developing and managing, for reforestation purposes, lands held by other persons, the Minister may enter into agreements with said persons.

Power to dispose of Crown lands.      **6.** For reforestation purposes the Minister may lease, sell, or otherwise dispose of Crown lands and may enter into agreements with reference thereto.

Staff and Assistants.      **7.** For the purpose of carrying out the provisions of this Act the Minister may employ such persons as he may deem necessary, and said persons shall be subject to the instructions of the Minister.

Regulations.      **8.** Upon the recommendation of the Minister, the Lieutenant-Governor in Council may make such regulations as he may deem necessary to carry out the provisions of this Act.

Payments out of appropriations.      **9.** All moneys required for the purposes of this Act shall be paid out of any sum appropriated by the Legislature and voted by the Assembly for that purpose.

CHAPTER

## CHAPTER 20.

## An Act to amend The Power Commission Act

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Power Commission Act*,<sup>Short title.</sup> 1921, and shall come into force on the day on which it receives the Royal Assent.

**2.** By-law No. 1198 of the Corporation of the City of Sarnia; By-law No. 690 of the Corporation of the Town of Thorold; By-law No. 309 of the Corporation of the Town of Merriton; By-laws Nos. 321 and 323 as amended by By-law No. 331 of the Corporation of the Town of Alexandria; By-laws Nos. 603 and 765 of the Corporation of the Town of Kincardine; By-laws Nos. 817 and 818 of the Corporation of the Town of Wingham; By-laws Nos. 721 and 724 of the Corporation of the Town of Uxbridge; By-laws Nos. 235 and 236 of the Corporation of the Village of Newbury; By-laws 7 of 1919 and 8 of 1919 of the Corporation of the Village of Lucknow; By-laws 448 and 454 of the Corporation of the Village of Norwood; By-laws Nos. 565 and 572 of the Corporation of the Village of Lakefield; By-laws Nos. 10 of 1919 and 11 of 1919 of the Corporation of the Village of Teeswater; By-laws Nos. 389 and 390 of the Corporation of the Village of Lancaster; By-law No. 591 of the Corporation of the Village of Lanark; By-law No. 775 of the Corporation of the Village of Port Perry; By-law No. 5 of 1920 of the Corporation of the Village of Wroxeter; By-laws Nos. 413 and 414 of the Corporation of the Village of Maxville; By-laws Nos. 241 and 242 of the Corporation of the Village of Kemptville; By-laws Nos. 503 and 504 of the Corporation of the Village of Kirkfield; By-law No. 20 of 1919 of the Police Village of Priceville; By-law No. 2 of 1920 of the Police Village of Martintown; By-law No. 358 of the Police Village of Apple Hill; By-law No. 313 of the Corporation of the Township of Winchester; and

and all the debentures issued or to be issued or purporting to be issued, under any of the said by-laws which authorize the issue of debentures, are confirmed and declared to be legal, valid and binding upon such corporations and the rate-payers thereof, respectively, and shall not be open to question upon any ground whatsoever, notwithstanding the requirements of *The Power Commission Act*, or the amendments thereto or any other Act of this Legislature.

## CHAPTER 21.

## An Act to make more Equal Provision for the Cost of Hydro-Electric Power in Ontario.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Rural Hydro-Electric* Short title.  
*Distribution Act, 1921.*

**2.** There shall be established a fund to be known as The Fund  
Hydro-Electric Power Extension Fund, hereinafter called account.  
the Fund, and the Treasurer of Ontario shall open in the books of the Province an account to be known as The Hydro-Electric Power Extension Fund Account.

**3.** There shall be placed to the credit of the said fund in Amounts to  
such account annually at such time as the Lieutenant- be placed  
Governor in Council may direct:— annually  
to credit  
of fund.

(a) A sum equivalent to the total amount falling due to the province from the rentals of water powers since the 1st day of January, 1918, but not including rentals falling due under agreements entered into by the Commissioners of the Queen Victoria Niagara Falls Park for the development of power within the park;

(b) A sum equivalent to the revenue derived from the rentals payable or collectable under the several agreements between the Commissioners of the Queen Victoria Niagara Falls Park and certain companies developing power in the Queen Victoria Niagara Falls Park after deducting any sums required to meet the charges and payments referred to in sections 21 and 23 of *The Queen Victoria Niagara Falls Park Act*;

- (c) Such additional sums as may from time to time be voted by the Legislature of the Province of Ontario for the purposes hereinafter mentioned.

Where power supplied to rural power districts.

4. Where power is supplied to a rural power district under the provisions of *The Power Commission Act* and amendments thereto there may be paid to the municipality or commission distributing the power in such rural power district upon the recommendation of The Hydro-Electric Power Commission of Ontario and the order of the Lieutenant-Governor in Council, a sum not exceeding fifty per cent. of the capital cost of constructing and erecting in the rural power zone primary transmission lines and cables required for the delivery of power in such rural power district.

Grant, how payable.

5. The grant made under this Act shall be payable out of the Consolidated Revenue Fund, and the sums required to be credited to the Fund shall be chargeable to the Consolidated Revenue Fund, and every grant of money made under this Act shall be debited to the Fund in the said account and the said account shall be so kept that at all times it shall show the amounts properly credited to the Fund as provided by section 3 and all amounts chargeable thereto.

Regulations.

6. The Lieutenant-Governor in Council may make regulations for the better carrying out of the provisions of this Act.

Commencement of Act.

7. This Act shall come into force on the 1st day of June, 1921.

## CHAPTER 22.

An Act to confirm a certain Agreement between the  
Hydro-Electric Power Commission of Ontario  
and the Corporation of the City of Guelph.

*Assented to May 3rd, 1921.*

**HIS MAJESTY**, by and with the advice and consent of  
the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** This Act may be cited as *The Guelph Railway Act*, Short title.  
1921.

**2.** In this Act,—

Interpreta-  
tion.

(a) "Commission" shall mean Hydro-Electric Power "Com-  
Commission of Ontario; mission."

(b) "Corporation" shall mean Municipal Corpora- "Corpora-  
tion of the City of Guelph; tion."

(c) "Railway" shall mean Guelph Radial Railway. "Railway."

**3.** The agreement set out in Schedule "A" to this Act, Agreement  
dated the 8th day of December, 1920, and made between confirmed.  
the Municipal Corporation of the City of Guelph of the  
first part, the Hydro-Electric Power Commission of Ontario  
of the second part, and the Guelph Radial Railway Com-  
pany of the third part and approved by Order in Council  
dated the 27th day of April, A.D. 1921, is confirmed and  
declared to be legal, valid and binding upon the Municipal  
Corporation of the City of Guelph and the ratepayers  
thereof, the Hydro-Electric Power Commission of Ontario,  
and the Guelph Radial Railway Company, anything in any  
general or special Act of this Legislature or in any by-law  
passed under any such Act to the contrary notwithstanding.  
and on, from and after the 1st day of May, 1921, all the  
assets, undertakings and property of the Guelph Radial  
Railway shall be vested in the Commission free from encum-  
brances, charges and liabilities, and the said Commission shall

have

have and may exercise under and subject to the said agreement, all the powers, rights and privileges of the Guelph Radial Railway Company in connection with the construction, equipment, maintenance and operation of the said street railway within the City of Guelph, and in such other territory as may be necessary to enable the Commission to carry out the terms of the said agreement, and in addition thereto, shall, subject to the terms of the said agreement, have all the powers, rights and privileges which may be exercised by the Commission with respect to a railway constructed by the Commission under *The Hydro-Electric Railway Act of Ontario*.

Bond issue  
by  
Commission.

4.—(1) The Commission is authorized to issue bonds dated the 1st day of May, 1921, and bearing interest at the rate of six per cent. per annum, payable half-yearly, and maturing not more than twenty years from the said date, to the amount of \$150,000.

Bonds to be  
a charge  
upon rail-  
way, etc.

(2) The bonds issued shall be a charge upon the railway and all the assets, rights, privileges, works, property and effects belonging thereto or held or used in connection therewith, provided that with the approval of the Lieutenant-Governor in Council the Commission may dispose of any property not required for the purposes of the said railway and use or dispose of the whole or part of the proceeds thereof in expenditures on capital account, or may invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds on maturity.

Retirement  
of bonds.

Increase of  
bond issue.

(3) The Commission, with the consent of the Corporation, may from time to time increase the said bond issue as may be deemed necessary to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for the railway.

Application  
of revenue  
to sinking  
fund for  
retirement  
of bonds.

(4) For the purpose of providing for the payment of such bonds and the interest thereon, the Commission shall, in each year after the expiration of ten years from the said date, out of the revenue of the railway, after payment of working or operating expenses, including the supply of electrical power or energy, and the cost of administration and the payments provided for in clause 2a of the said agreement and the annual charges for interest, set aside annually such sum as may be necessary to provide a sinking fund on a basis of not more than 40 years for the payment of all the bonds issued on account of such railway which shall be held for and applied towards the payment of such bonds at maturity, and the Commission shall have power from time to time to issue bonds under this Act for the purpose of providing

viding for such additional moneys as may be necessary, with the accumulated sinking fund on hand, to repay the bonds previously issued when the same respectively mature, but no bonds shall be issued under the authority of this section maturing at a later date than the 1st day of May, 1971.

(5) Section 7 of *The Hydro-Electric Railway Act, 1914*, <sup>1914, c. 31, s. 7,</sup> and amendments thereto and section 5 of *The Hydro-Electric Railway Act, 1920*, <sup>1920, c. 57, s. 5,</sup> shall apply to the bonds to be issued <sup>Application.</sup> by the Commission under this section.

**5.**—(1) The Corporation is authorized to issue debentures <sup>Issue of debentures.</sup> to an amount not exceeding \$300,000, payable in fifty years from the 1st day of May, 1921, and bearing interest at the rate of six per cent. per annum, payable half-yearly at the Bank of Montreal at Toronto.

(2) On or before the 1st day of May, 1921, the Corporation shall issue and deposit the said debentures with the Commission, and is further authorized to and shall from time to time thereafter, upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount as any increase of the bond issue of the Commission to cover the capital cost of extensions, improvement or additional works or equipment of the said railway, as provided in subsection 3 of section 4. <sup>Deposit of debentures of corporation with Commission.</sup>

(3) In the event of the revenue derived from the operation <sup>Where revenue insufficient.</sup> of the railway being insufficient in any year to meet operating or working expenses including electrical power or energy and the cost of administration and the payments provided for in clause 2a of the said agreement and the annual charges for interest and sinking fund on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid on demand of the Commission by the Corporation, and any arrears of the Corporation shall bear interest at six per cent. per annum. If the Corporation shall make default in payment of any such deficit the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall <sup>Deposit of debentures to make up deficiency.</sup>

shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

Debentures  
to be  
collateral  
security  
for bonds.

(5) All debentures issued and deposited with the Commission under this section shall be held by the Commission as collateral security for the bonds issued by the Commission under section 9 and for any payments required to be made by the Corporation or the Commission under this Act or the said agreements.

Application  
of 1914,  
c. 31.

6. Subject to the provisions of this Act and to the terms of the said agreement, the provisions of *The Hydro-Electric Railway Act, 1914*, and amendments thereto, shall *mutatis mutandis* apply to the purchase, construction, equipment, maintenance and operation of the said railway, to the same extent as if the said railway had been a railway purchased or constructed, equipped, maintained and operated by The Hydro-Electric Power Commission of Ontario under the provisions of *The Hydro-Electric Railway Act of Ontario*.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

This agreement, made the 8th day of December, 1920,

Between

The Municipal Corporation of the City of Guelph (hereinafter called "The Corporation") of the first part;

and

The Hydro-Electric Power Commission of Ontario (hereinafter called "The Commission") of the second part;

and

The Guelph Radial Railway Company (hereinafter called "The Guelph Railway") of the third part.

Whereas the Corporation owns and controls all the outstanding shares of the capital stock of the Guelph Railway, all of the said shares being fully paid up;

And whereas the Commission has furnished the Corporation with a report dated 1st November, 1919, as to the estimated cost of equipping and operating the railway;

And whereas the Corporation has offered to transfer to the Commission all the assets, undertakings and property of the Guelph Railway for the consideration hereinafter mentioned, and has requested the Commission to operate the same, and the Commission has agreed to acquire and operate the same as under The Hydro-Electric Railway Act;

And whereas the electors of the Corporation have assented to a by-law authorizing the Corporation to enter into this agreement with the Commission for the sale and operation of the railway, subject to the following terms and conditions:

And whereas the Corporation has issued debentures for three hundred thousand dollars (\$300,000.00) and deposited the same within the Commission;

Now this agreement witnesseth:—

*Sale.*

1. The Corporation agrees to sell and the Commission agrees to purchase all the assets, undertakings and property of every kind and nature belonging to the Guelph Railway or to which the Guelph Railway is entitled in connection with its business, free from liability, viz.:—

(a) All freehold and leasehold lands, easements and interests in lands, save and except the lands in the Township of Guelph known as "Riverside Park"; the lands in the Township of Puslinch known as "Puslinch Lake Property"; and that certain property to the south-west side and rear of the power house on Waterloo Avenue heretofore used as a winter recreation park, which said three parcels of property shall remain the property of the City of Guelph absolutely;

(b) All plant, machinery, rolling stock, works, buildings, fixtures, equipment, apparatus, furniture, stock-in-trade, supplies, stores, goods, chattels and effects;

(c)

(c) All franchises, patents, licenses, agreements and rights, and all documents, including title deeds, contracts, books of account, plans, records, and specifications;

(d) All the outstanding shares of the capital stock of the Guelph Railway fully paid up;

(e) All the property to which the Guelph Radial Railway is entitled in connection with its business, except cash, promissory notes, book accounts and other bills and accounts receivable, which may be retained by the Corporation.

2.—(a) The consideration shall be the sum of one hundred and fifty thousand dollars (\$150,000.00), payable, including interest at  $4\frac{1}{2}$  per cent. per annum, in instalments of eleven thousand, seven hundred dollars (\$11,700.00) in each year for twenty (20) years in half-yearly payments, on 1st May and 1st November, the first of such half-yearly payments of five thousand, eight hundred and fifty dollars (\$5,850.00) to be made on first November, 1921;

(b) All current contracts, taxes, local improvements, rates, assessments, rents and insurance shall be adjusted as of the time of completion of this agreement, which shall be on the 1st of May, 1921, and the balance paid in cash by the Corporation to the Commission or by the Commission to the Corporation, as the case may be. If any estimate made on such adjustment shall, after completion, prove inaccurate, the excess or deficiency, when determined, shall be paid by the party liable;

(c) The Corporation agrees to pay to the Commission the value of all revenue tickets sold by the railway company prior to the said date for completion that are taken up for fare, or presented for redemption for a period of sixty (60) days after the said date for completion, forthwith upon the delivery of such tickets by the Commission to the Corporation. Provided that if this agreement shall not have received confirmation by the Legislature by 1st May, 1921, the date of completion shall be the date when such confirmation is obtained.

### 3. The Corporation covenants with the Commission:—

(a) That the assets, undertakings and property of the railway are free from all encumbrances, and that the Corporation will pay and settle all liabilities whether direct, indirect, contingent, accruing and accrued at the said date for completion of this agreement, and to indemnify the Commission from all claims in connection with the said assets, undertakings, and property, or in connection with injuries and damages arising prior to the said date;

(b) That until the said date for completion, the Guelph Railway will repair and keep in repair and good working order and condition, reasonable wear and tear only excepted, all assets and undertakings and property of the Guelph Railway and will, pending said date for completion, carry on the business of the Guelph Railway in the usual and ordinary manner;

(c) That the Guelph Railway will not, before the said date for completion, create any bonds, debentures or other securities, and that the Guelph Railway will not do, permit, or permit to be done, any act or thing whereby any of its rights or privileges may become forfeited or terminated or liable to forfeiture or termination, and that after execution of this agreement the Corporation will, upon request, furnish to the Commission any and all information in connection with the property and affairs of the Guelph Railway;

(d)

(d) That, upon the completion of the sale under this agreement, the Corporation will cause to be tendered the resignations of all officers of the Guelph Railway, or cause their employment to be terminated as of the said date of completion.

4. The Commission covenants and agrees with the Corporation as follows:—

(a) That notwithstanding any franchise heretofore granted to the Guelph Railway in respect of the streets in the City of Guelph, that the Commission will not at any time hereafter construct or operate the railway upon any streets in the City of Guelph other than those upon which the Guelph Railway is now operated and constructed without the consent of the Corporation being first obtained therefor, to be expressed by by-law of the Council of the City of Guelph;

(b) That the Commission will at all times in the future maintain and operate within the City of Guelph a ten minute street-car service upon the streets upon which the said railway is now operated, or such other service as may be agreed to by the municipality, and will at all times maintain in connection with the said service modern, well-equipped cars and rolling stock suitable for the accommodation of the travelling public;

(c) That the Commission will not move any through freight trains or cars over the streets of the City of Guelph and will only move local freight coming to or going from the City of Guelph after the hour of nine o'clock p.m. and before the hour of seven o'clock a.m., except upon express permission being obtained from the Corporation for the convenience of the business public of Guelph;

(d) To utilize the routes and property of the railway for all purposes from which it is possible to obtain a profit, and to permit an interchange of traffic with other railways wherever possible and profitable;

(e) That the Commission will institute a Sunday car service over the Guelph Railway suitable to the needs and wishes of the community, upon request therefor by the Corporation after a by-law in favour of Sunday cars has been passed by the municipal electors of the City of Guelph, giving their assent to such proposal;

(f) That the Commission will construct and operate a line of railway from some point upon their proposed line between Guelph and Hespeler to Puslinch Lake at the same time as the proposed line between Guelph, Galt and Hamilton and Elmira, Galt and Hamilton is constructed, in order to give the City of Guelph connections by the said system to Puslinch Lake, and the Corporation hereby covenants with the Commission that the Corporation will grant to the Commission sufficient land for right of way and terminal facilities out of the property now owned by the Corporation or by the Guelph Railway at Puslinch Lake;

(g) That the Commission will at all times construct and maintain suitable pavements upon all streets in the City of Guelph upon which the railway is operated, between the car tracks and for an additional space of eighteen inches on the outside of each rail. Such pavements to be in every way and at all times suitable for the purpose of making satisfactory highways, and to be subject to and under the approval of the Corporation's engineer.

#### *Operation.*

5. Subject to the provisions of The Hydro-Electric Railway Act, 1914, and amendments thereto, the Commission agrees with the Corporation:—

(a)

(a) To equip and operate the Guelph Railway so acquired from the Corporation;

(b) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(c) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and the users of the power lines;

(d) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(e) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(f) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating expenses (including electrical power), the cost of administration, and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(g) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(h) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

6. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:—

(a) To bear the cost of acquiring, equipping, operating, maintaining, repairing, renewing, and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures for three hundred thousand dollars (\$300,000), maturing in fifty years from the date of issue thereof, bearing interest at 5% (five per cent.) per annum, payable half-yearly at the Bank of Montreal, Toronto, Ontario. Such debentures shall be deposited with the Commission on the confirmation of this agreement, and may be held or disposed of from time to time by the Commission, as hereinafter provided, in such amounts, at such rates of discount or premium, and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement;

(e) Subject to paragraph 4a hereof, to furnish a free right of way for the railway and for the power lines of the Commission over any property of the Corporation upon being so requested by the Commission, and to execute such conveyance thereof or agreement with regard thereto as may be desired by the Commission.

7. The Commission is authorized to create or cause to be created an issue of bonds at a rate of interest not exceeding 6% per annum (six per cent.), payable half-yearly and maturing in not more than 50 years from the date of issue thereof, and to sell, pledge or otherwise dispose of the same on behalf of the Corporation. Such bonds to be charged upon and secured by the railway, and all the assets, rights and privileges, revenues, works, property and effects belonging thereto, or held or used in connection with the railway acquired, equipped, operated and maintained by the Commission under this agreement, and to be for one hundred and fifty thousand dollars (\$150,000), provided that the Commission may, upon obtaining the consent of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements, additional works or equipment of any kind for use on the railway. In order to meet and pay such bonds and interest as the same becomes due and payable, the Commission shall, in each year after the expiration of ten years from the date of the issue of the bonds, out of the revenue of the railway, after payment of operating expenses (including electrical power) and the cost of administration, set aside a sufficient sum to provide a sinking fund for the purpose of redeeming the same at maturity. Debentures issued by the corporations as above provided shall, to the extent of the par value of any bonds outstanding from time to time, be held or disposed of by the Commission as collateral security for payment of the said bonds and for payment of any deficit as hereinafter provided, it being understood and agreed that in the event of any increase of the said bond issue the Corporation shall, upon the request of the Commission, deposit with the Commission additional debentures as above described, to be held or disposed of by the Commission in the same manner.

8. In the event of the revenue derived from the operation of the undertaking being insufficient in any year to meet the operating expenses (including electrical power), the cost of administration and the annual charges for interest and sinking fund on the bonds, and for the renewal of any works belonging in whole or in part to the railway, such deficit shall be paid to the Commission by the Corporation upon demand. In the event of the failure of the Corporation to pay such deficit, it shall be lawful for the Commission, in the manner above provided, to sell, pledge or otherwise dispose of so much of the debentures held by the Commission as shall be necessary to supply such deficit, and the Corporation shall forthwith issue and deposit with the Commission debentures to the same amount, so that the debentures held by the Commission may be equal to the amount originally deposited. Any arrears by any corporation shall bear interest at the legal rate.

9. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof, by strike, lock-out, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

10. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of

any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to another, proper provision being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

11. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality, the Commission shall notify the applicant and the Corporation, in writing, of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discriminating in favour of the applicant, as to the cost incurred or to be incurred for or by reason of any such extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality, the corporation of which is not a party to this agreement, shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will be thereby increased or the revenue and accommodation be injuriously affected without the written consent of the Corporation.

12. The consent of any corporation required under this agreement shall mean the consent of the council of such corporations, such consent being in the form of a municipal by-law duly passed by the council of the corporation.

13. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and said Act shall be vested in the Commission in behalf of the Corporation, but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

14. This agreement shall continue and extend for a period of fifty years from the date hereof, and at the expiration thereof be subject to renewal, with the consent of the Corporation from time to time for like periods of fifty years, subject to adjustment and reapportionment as herein provided for the purpose of this agreement as though the terms hereof had not expired. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed under the terms of this agreement, and such other considerations as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

15. This agreement shall not come into effect until it has been sanctioned by the Lieutenant-Governor in Council and by the Legislature of the Province of Ontario.

In witness whereof the Corporation, the Commission and the Guelph Railway have respectively affixed their corporate seals and the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

(Sgd.) A. BECK,  
*Chairman.*

(Seal of  
Commission.)

(Sgd.) W. W. POPE,  
*Secretary.*

THE MUNICIPAL CORPORATION OF THE CITY OF GUELPH,

(Sgd.) CHAS. BURGESS,  
*Mayor.*

(Seal, City  
of Guelph.)

(Sgd.) H. J. B. LEADLAY,  
*Clerk.*

THE GUELPH RADIAL RAILWAY COMPANY,

(Seal, The Guelph  
Radial Railway  
Company,  
1895, 1903 Acts.)

(Sgd.) H. J. McELROY,  
*President.*

(Sgd.) H. J. B. LEADLAY,  
*Secretary.*

CHAPTER

## CHAPTER 23.

## An Act respecting the purchase by the City of Toronto of the Assets of Certain Companies.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Toronto Power and Railway Purchase Act, 1921.* Short title.

2. The Corporation of the City of Toronto is authorized to purchase the distribution systems of the Toronto and Niagara Power Company, and the Toronto Electric Light Company, Limited, or either of them, or such portions thereof as may be agreed upon between the said corporation and the vendors. City authorized to purchase distribution plants.

3. The Corporation of the City of Toronto is further authorized to purchase all tracks, poles, lines and works of the Metropolitan division of the Toronto and York Radial Railway situate upon the highways lying within the limits of the said city. And Metropolitan Ry. in city limits.

4. The agreement or agreements for the purchase of the properties mentioned in sections 2 and 3 shall be subject to approval by by-law of the municipal council of the Corporation of the City of Toronto, and, when so approved, shall be signed by the mayor of the said city and by the treasurer thereof, and the said treasurer shall affix the seal of the said corporation thereto. Approval and execution of agreements.

5. The Corporation of the City of Toronto is authorized to issue debentures of the said city to a total amount not exceeding \$7,811,295, dated the 1st day of December, 1920, and payable in twenty years from the said date with interest thereon half-yearly at the rate of six per cent. per annum, and to deliver the same in payment of the price of the properties purchased under sections 2 and 3. for \$7,811,295 authorized.

Assent of  
electors not  
required.

6. It shall not be necessary to submit any by-law for the issue of debentures under this Act to the electors of the said city qualified to vote on money by-laws or to observe any of the formalities in relation thereto prescribed by *The Municipal Act*, and the said debentures shall not be included as part of the debt of the Corporation of the City of Toronto in estimating the limits of its borrowing powers.

Distribution  
plants to be  
controlled  
and operated  
by electric  
commission  
of city.

7.—(1) The property acquired by the Corporation of the City of Toronto under section 2 shall be under the control and management of and shall be operated by the Toronto Electric Commission, herein called the "Commission," as part of the system of the said city for the distribution of electrical power or energy for light, heat or power purposes, and the commission, with respect to the said property, shall possess the like powers and shall perform the like duties as in the case of the works now controlled and operated by the commission in the City of Toronto.

Railway to  
be part of  
city system.

(2) The property acquired under section 3 shall be controlled and operated by the said corporation as part of its municipal street railway system in the same manner as the municipal street railways now owned and operated by the said corporation.

Transfer  
of certain  
assets and  
rights to  
Power  
Commission  
authorized.

8. The Corporation of the City of Toronto is authorized to transfer to the Hydro-Electric Power Commission of Ontario certain railway assets it now owns within the city on the Kingston Road and on the Lake Shore Road; and to enter into an agreement with the said commission providing for the construction or acquisition and operation of a railway by the said commission or the said corporation, upon the roads as above described, and the giving by either party to the other of running rights or in the case of the Lake Shore Road a right-of-way.

Commence-  
ment of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 24.

An Act to authorize the Purchase and Operation of Certain Radial Railways by the Hydro-Electric Power Commission of Ontario on behalf of the City of Toronto.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Toronto Radial Railway Act, 1921.* Short title.

**2.** In this Act:—

Interpreta-  
tion.

(a) "Commission" shall mean The Hydro-Electric Power Commission of Ontario. "Commis-  
sion."

(b) "Corporation" shall mean the Municipal Corporation of the City of Toronto. "Corpora-  
tion."

(c) "Railway" shall mean any one of the Divisions mentioned in section 4 (a). "Railway."

**3.** The Toronto Railway Company may sell to the Commission and the Commission may buy on terms to be agreed upon between them the shares, securities, and/or property and rights of The Toronto Power Company, Limited (formerly called the Toronto & Mimico Railway Company), the Toronto and York Radial Railway Company, the Schomberg and Aurora Railway Company, the Toronto and Scarboro' Electric Railway, Light and Power Company and the Metropolitan Railway Company. Powers of  
Toronto  
Railway  
Company  
to sell  
shares, etc.

**4.** Upon the completion of the said purchase the properties described and set out in schedules to the agreements in Schedule "A" to this Act as:— Vesting of  
purchased  
properties  
in Commis-  
sion.

- (a) The Metropolitan Division, including for the purposes hereof, the Schomberg and Aurora Railway;
- (b) The Mimico Division;
- (c) The Scarboro Division,

shall be vested in the Commission on behalf of the Corporation, free from encumbrances, charges and liabilities, subject only to the agreements to be entered into under the authority of section 5.

Powers of Commission and Corporation to make agreements.

**5.** The Commission and the Corporation are authorized to enter into agreements as of 1st December, 1920, in the form set out in Schedule "A" to this Act or with such variations thereof as may be approved by the Lieutenant Governor in Council, and to execute the same, and the said agreements shall be approved of by by-law of the Municipal Council of the Corporation, and when so approved, shall be signed by the Mayor of the Corporation and by the Treasurer thereof, and the Treasurer shall affix the seal of the Corporation thereto, and when so executed the said agreements shall be legal, valid and binding upon the Corporation and the rate-payers thereof and upon the Commission, anything in any general or special Act of this Legislature or in any by-law passed under any such Act to the contrary notwithstanding.

Vested properties to be controlled, equipped, etc., by Commission.

**6.** The properties acquired by and vested in the Commission on behalf of the Corporation under section 4 shall be controlled, equipped and operated by the Commission on behalf of the Corporation, and the Commission shall have and may exercise and perform the like powers, duties and obligations with respect to the said properties as in the case of a railway constructed or acquired, equipped and operated by the Commission under *The Hydro-Electric Railway Act, 1914*.

Agreements with municipal corporations.

**7.—(1)** The Commission and the Corporations may agree with any municipal corporation through which any of the said railways pass or in which a part of the said railways is situate, for the admission of such municipal corporation as a party to the agreement for the acquisition and operation of the said railway or for the extension thereof in or through the territory of such municipal corporation upon such terms and conditions and subject to such contributions as if it were a party to the agreement mentioned in section 5 at the date hereof, but no such agreement shall be entered into until the same shall have been approved by the Lieutenant Governor

ernor in Council and submitted to the municipal electors of the municipal corporation or corporations to be added as parties to the said agreement as provided by *The Hydro-Electric Railway Act, 1914*, with respect to an agreement for the construction or acquisition and operation of a railway by the Commission.

(2) Every such agreement shall provide for the issue of debentures by any such municipal corporation either in substitution for, or in addition to the debentures deposited with the Commission by the Corporation under section 11, and upon the execution thereof the agreements mentioned in section 5 shall be modified accordingly and shall remain in full force and effect subject only to such modifications.

Agreements to provide for issue of debentures.

(3) It shall not be necessary to submit any by-law for the issue of such debentures for the assent of the electors or observe any of the formalities provided by the *Municipal Act*.

By-law unnecessary.

8. The Commission and the Corporation shall, subject to the provisions of the agreements set out in Schedule "A" hereto, have the right for all time to maintain the railways described in the schedules to the said agreements in the locations and on the streets and highways set out in the said schedules.

Right of Commission and Corporation to maintain railways.

9.—(1) The purchase price for the said railways so to be acquired by the Commission shall not exceed \$2,375,000, and the Commission is authorized to issue bonds dated the 1st day of December, 1920, bearing interest at the rate of six per cent. per annum, payable half-yearly and maturing twenty years from the said date.

Limit of purchase price.

(2) The bonds issued shall be a charge upon the Metropolitan Division for \$1,875,000, on the Mimico Division for \$260,000, and on the Scarboro Division for \$240,000, and all the rights, assets, privileges, revenue, works, property and effects belonging thereto respectively, as set out in the schedules to the agreements in Schedule "A" to this Act, provided that with the approval of the Lieutenant Governor in Council the Commission may dispose of any property not required for the purposes of any of the said railways and use or dispose of the whole or part of the proceeds thereof in expenditures on capital account or may invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds at maturity.

Bond issue apportionment of charge.

Increase  
of bond  
issue.

(3) The Commission, with the consent of the Corporation, may from time to time increase the said bond issue as deemed necessary to cover the capital cost of extensions or improvements or additional works or equipment of any kind required for the railway.

Application  
of revenue  
to sinking  
fund for  
retirement  
of bonds.

(4) For the purpose of providing for the payment of such bonds and the interest thereon, the Commission shall, in each year after the expiration of ten years from the said date, out of the revenue of the railways, after payment of working or operating expense, including the supply of electrical power or energy and the cost of administration, and annual charges for interest set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than 40 years for the payment of all the said bonds, which shall be held for and applied toward the payment of such bonds, or any renewals thereof, at maturity and the Commission shall have power from time to time to issue bonds, under the provisions of this Act, for the purpose of providing for such additional moneys as may be necessary, with the accumulated sinking fund on hand, to repay the bonds previously issued, when the same respectively mature. Provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said 1st day of December, 1920.

Application  
of 1914,  
c. 31, ss. 7-8,  
1920, c. 57,  
s. 5.

(5) Sections 7 and 8 of *The Hydro-Electric Railway Act, 1914*, and amendments thereto, and section 5 of *The Hydro-Electric Railway Act, 1920*, shall apply to the bonds to be issued by the Commission under this section.

Application  
of 1914,  
c. 31, as to  
acquisition,  
construction  
etc., of  
railways.

**10.** Subject to the provisions of this Act and to the terms of the said agreements, the provisions of *The Hydro-Electric Railway Act, 1914*, and amendments thereto shall, *mutatis mutandis* apply to the acquisition, construction, equipment and operation of the said railways, as in the case of a railway constructed or acquired by the Hydro-Electric Power Commission of Ontario under the provisions of *The Hydro-Electric Railway Act, 1914*.

Debentures,  
how pay-  
able.

**11.**—(1) The Corporation is authorized to issue debentures to the amount of \$2,375,000, payable in fifty years from the 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly as follows:—

\$1,875,000 for the Metropolitan Division;  
\$260,000 for the Scarboro Division; and  
\$240,000 for the Mimico Division.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall, from time to time thereafter, upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount as any increase of the bond issue of the Commission to cover the capital cost of extensions, improvements or additional works or equipment of the said railway, as provided in subsection 3 of section 9.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expenses, including electric power or energy and the cost of administration and the annual charges for the interest and sinking fund on the bonds and of the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid on demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of any such deficit the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and on such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this section shall be held by the Commission as collateral security for the bonds issued by the Commission under section 9, and for any payments required to be made by the Corporation under this Act or the said agreements.

(6) It shall not be necessary to obtain the assent of the electors to any by-law for the issue of the said debentures.

(7) The said debentures shall not be included as part of the debt of the Corporation in estimating the limits of its borrowing powers.

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

Draft Agreement relating to the *Metropolitan* Division; similar Agreements to be made as to the *Scarboro* Division and as to the *Mimico* Division.

This Indenture made the first day of December, in the year of our Lord, one thousand nine hundred and twenty,

Between

The Hydro-Electric Power Commission of Ontario, hereinafter called the "Commission," of the first part;

and

The Corporation of the City of Toronto, hereinafter called the "Corporation," of the second part.

Whereas the Commission has at the request of the Corporation acquired for and on behalf of the Corporation certain properties of the Metropolitan Division of the Toronto and York Radial Railway Company, including for the purposes hereof the Schomberg and Aurora Railway Company, all as described and set out in Schedule "A" hereto, and hereinafter called the "Railway" to be controlled, equipped and operated under the terms of *The Hydro-Electric Railway Act, 1914*, and of a special Act authorizing this agreement;

And whereas the Corporation has requested the Commission to control, equip and operate and the Commission has agreed with the Corporation on behalf of the Corporation to control, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of the Corporation have voted in favour of authorizing the Corporation to enter into the necessary agreements with the Commission for acquiring the railway;

And whereas the Corporation has issued debentures for the amounts set forth in clause 2 *b* hereof, and has deposited the said debentures with the Commission;

Now therefore, this indenture witnesseth:

1. In consideration of the premises and of the agreements of the Corporation herein contained, and subject to the provisions of the said Acts and amendments thereto, the Commission agrees with the Corporation;

(a) To equip, and operate the railways on behalf of the Corporation, subject to clauses 11 and 12 hereof;

(b) To issue bonds, as provided in clause 3 hereof to cover the cost of acquiring the railway;

(c) To furnish as far as possible first-class modern and standard equipment for use on the railways, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railways consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e)

(e) To utilize the routes and property of the railways for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2b hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to the amount of \$1,875,000, maturing in fifty years from 1st December, 1920, and bearing interest at the rate of six per centum per annum, payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned. The said debentures are similar to debentures to be issued by the Corporation under the provisions of two other agreements between the parties hereto of even date herewith respecting the Scarboro Division and the Mimico Division of the Toronto and York Radial Railway, and the total amount of debentures to be issued by the Corporation under the three agreements, for the acquisition of the three railways is \$2,375,000;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d)

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$1,875,000, provided that the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use on the railway, and provided that with the approval of the Lieutenant Governor in Council the Commission may dispose of any property not required for the purpose of the railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in securities of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses including the supply of electrical power or energy and the cost of administration and annual charge for interest set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than forty years for the payment of all the said bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof at maturity, and the Commission shall have power from time to time to issue bonds under the provisions of the said special Act for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said first day of December, 1920.

5. (1) The Corporation is authorized to issue debentures to the amount of \$1,875,000, payable in fifty years from 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall from time to time thereafter upon the requisition in writing of the Commission issue and deposit with the Commission further similar debentures for the same amount or any increase as provided in subsection 3 of section 9, of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expense, including the electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of such deficits the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and such terms and conditions as the Commission

sion in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3, and for any payment required to be made by the Corporation under this agreement or the said Act.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provisions being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination of the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporation; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or in which a part of the railway is situate applies to the Commission for admission as a party to this agreement for the acquisition and operation of the railway or for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying municipality or municipalities in the form, so far as applicable, of this agreement and containing paragraph 1 (*m*) and (*o*); paragraph 2 (*e*) and paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant Governor in Council, and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject only to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof be subject to renewal, with the consent of the corporation from time to time for like periods of fifty years. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed by the Corporation under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant Governor in Council.

13. This agreement shall not come into effect until it has been authorized by an Act of the Legislature of Ontario.

In witness whereof the Commission and the Corporation have respectively affixed their corporate seals under the hands of their proper officers.

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## SCHEDULE "A" (*a*).

### METROPOLITAN DIVISION.

The Metropolitan Division, for the purposes of this agreement, shall consist of all the right-of-way, other lands and real estate, roadbed, bridges, trestles, culverts, fences, signs, track, track tools, poles and fixtures, distribution system, shops, carhouses, offices, stations, miscellaneous buildings, ballast pits, park and resort property, passenger cars, freight cars, service cars, locomotives, shop equipment, furniture, trucks, automobiles, horses, vehicles, stores, substations, substation equipment owned on the first day of December 1920, (1) by the Toronto and York Radial Railway Company and operated on that date as the Metropolitan Division thereof save and except all tracks, poles, lines and works situate upon the highways lying within the limits of the City of Toronto, and rolling stock known as cars Nos. 43 to 50 inclusive, and (2) by the Schomberg and Aurora Railway Company; the whole constituting a single track electric radial railway with sidings, spurs and all necessary appurtenances extending from the northerly limits of the City of Toronto on Yonge Street to the Village of Sutton, Ontario, a distance of 48.66 miles, with a branch from Schomberg and Aurora junction to Schomberg, a distance of 14.41 miles; and including certain real estate, car barns, shops, machinery, tools and equipment within the City of Toronto, certain parcels of real estate outside

outside of the said city, all as set out more particularly in the following schedule:

### METROPOLITAN DIVISION OF TORONTO AND YORK RADIAL RAILWAY.

#### REAL ESTATE IN NORTH TORONTO.

Lot 6 North side Birch Avenue, Toronto....	50 ft. x 138 ft.
Part Lot 5 North side Birch Avenue, Toronto.	25 ft. x 138 ft.
“ 5 North side Birch Avenue, Toronto.	25 ft. x 138 ft.
“ 4 North side Birch Avenue, Toronto.	16 ft. 8 in. x 138 ft.
“ 4 North side Birch Avenue, Toronto.	16 ft. 8 in. x 138 ft.
“ 4 North side Birch Avenue, Toronto.	16 ft. 8 in. x 25 ft.
“ 1 North side Birch Avenue, Toronto.	60 ft. x 70 ft.
“ 28 Lane west side Yonge St., Toronto,	52 ft. 6 in. x 100 ft.
	60 ft. x 68 ft.
	10 ft. x 138 ft.
“ 7 and 8 South side Alcorn Avenue Toronto .....	28 ft. 5 in. x 80 ft.
“ 6 and 7 South side Alcorn Avenue, Toronto .....	20 ft. 6 in. x 80 ft.
“ 6 South side Alcorn Avenue, Toronto	20 ft. 7 in. x 80 ft.
“ 5 and 6 Lane south side Alcorn Ave., Toronto .....	10 ft. x 80 ft.
“ 5 South side Alcorn Avenue, Toronto	14 ft. 8 in. x 78 ft. 9 in.
“ 5 South side Alcorn Avenue, Toronto	15 ft. 4 in. x 78 ft. 9 in.
“ 4 South side Alcorn Avenue, Toronto	26 ft. 11 in. x 78 ft. 9 in.
“ 4 South side Alcorn Avenue, Toronto	18 ft. x 78 ft. 9 in.
“ 2 and 3 South side Alcorn Avenue, Toronto .....	50 ft. x 52 ft. 6 in.
“ 67 and Lots 68 and 69 North side of Alcorn Avenue, Toronto .....	75 ft. x 78 ft. 9 in.
“ 70 North side of Alcorn Ave., Toronto	31 ft. x 78 ft. 9 in.
Lot C and Part Lot B, North side of Alcorn Avenue, Toronto .....	45 ft. x 78 ft. 9 in.
Part Lot 1 North side of Alcorn Ave., Toronto	49 ft. 10 in. x 60 ft.
“ 2 and 3 South side Walker Avenue, Toronto .....	23 ft. 10 in. x 87 ft. 4 in.
“ 2 and 3 South side Walker Avenue, Toronto .....	36 ft. x 87 ft. 4 in.
Lot 69 and Part Lots 70 and F, North side Walker Avenue, Toronto .....	58 ft. x 20 ft. 9 in.
Lot C, South side Woodlawn Ave., Toronto..	19 ft. 5 in. x 150 ft.
“ B, South side Woodlawn Ave., Toronto..	19 ft. 6 in. x 150 ft.
“ A, South side Woodlawn Ave., Toronto..	20 ft. 4 in. x 150 ft.
Part Lot 22 North side Woodlawn Avenue, Toronto .....	28 ft. x 178 ft. 7 in.
“ 22 North side Woodlawn Avenue, Toronto .....	39 ft. 3 in. x 178 ft. 7 in.
“ 20 and Lot 21, West side Yonge St., Toronto .....	40 ft. x 100 ft.
Lots 25, 26, 27, 28 and 29, West side Yonge St., Toronto .....	167 ft. 10 in. x 131 ft.
Part Lot 24 and Lane, South side Farnham Avenue, Toronto .....	23 ft. x 167 ft.

#### BUILDINGS IN NORTH TORONTO.

- 18 Birch Avenue, semi-detached dwelling, two-storey red brick,  
17 x 24 ft., with annex 26 x 13 ft.  
16 Birch Avenue, ditto.  
1208 Yonge Street, semi-detached store, two-storey brick, 14 x 60 ft.  
1210 Yonge Street, semi-detached store, two-storey brick, 14 x 60 ft.;  
furniture shop.

- 1212 Yonge Street, detached store, two-storey rough-cast and brick veneer, 20 ft. 6 in. x 38 ft.  
 17 Walker Avenue, detached dwelling, two-storey brick, 20 x 22 ft.; occupied.  
 10 Walker Avenue, detached dwelling, two-storey brick, 38 x 48 ft.  
 1306 Yonge Street, detached dwelling, two-storey red brick, 27 x 31 ft. 6 in.; occupied.  
 1312 Yonge Street, detached dwelling, two-storey white brick, 25 ft. 6 in. x 43 ft. 5 in., used by Toronto & York Radial as offices.  
 11 Farnham Avenue, detached dwelling, two-storey red brick, 23 ft. 6 in. x 30 ft. 6 in.; with additions.

## ROADWAY.

Extending from North Toronto City Limits on Yonge Street to a point distant approximately 21.15 miles near Mulock's Corners including bridges, trestles and culverts, track-work with all turnouts and sidings, poles and fixtures, distribution system with feeders and telephone system, and signs.

Roadway on private right-of-way extending from Mulock's Corners to Sutton, a distance of 27.51 miles, including bridges, trestles and culverts, track-work with all turnouts and siding, poles and fixtures, distribution system with feeders and telephone system, fences and signs.

## ROADWAY MACHINERY AND TOOLS.

Roadway machinery and tool equipment in possession of maintenance of way forces on way and structures.

## RIGHT OF WAY.

	Acres.
At Grand Trunk overhead crossings .....	6.74
Aurora .....	0.59
Yonge Street, to Newmarket, 7,489 ft. ....	14.181
Through Newmarket, 3,600 ft. ....	5.394
Newmarket to Jackson's Point .....	203.282
Jackson's Point to Sutton .....	11.201
Gravel Pit right-of-way to Oak Ridges.....	6.32
Interchange C.N.O. Ry., Richmond Hill .....	5.32

## OTHER LANDS.

Stable property, Toronto, Nos. 17 and 19 Birch Avenue.  
 97 ft. x (88 ft. and 116 ft.).

Car Barn property, Toronto.

Yonge Street, No. 1430, 244 x 255 ft.

St. Clair Avenue, 206 x 335 ft.

Yonge Street, 150 x 189 ft.

Substation property, York Mills, 150 x 147 ft.

Station property, Richmond Hill, 58 x 137 ft.

Bond Lake property, blocks B, C and D, 160.4 acres.

Station property, Aurora, 80 x (198 and 275 ft.).

Callaghan property, Roche's Point, 57.682 acres.

Gravel Pit, Oak Ridges, 34.24 acres.

## SHOPS, CARHOUSES, STATIONS, MISCELLANEOUS BUILDINGS AND STRUCTURES.

1430 Yonge Street, car barns 56 ft. x 202 ft. 6 in.; shops, 73 ft. x 101 ft. 6 in.; brick building, with concrete roof, built in 1906, with new addition now being finished.

Mount Pleasant, paint and repair shop, 28 ft. 6 in x 73 ft., frame building.

Bond Lake Car Barns, 107 ft. 8 in. x 41 ft. 2 in., white brick building, roof steel truss with slate.

Newmarket, car barns, irregular, 7,348 square feet, frame building, galvanized corrugated iron siding, roof flat, felt gravel.

Thornhill

- Thornhill Switch (Stop 42), shelter 10 ft. 1 in. x 5 ft. 9 in.; frame building on sills, shingle French roof.
- Lot 40 (Stop 47), shelter 10 ft. 2 in. x 7 ft. 11 in., frame building on sills, shingle French roof.
- Richmond Hill, Station and freight room, 33 ft. 2½ in. x 22 ft. 2½ in. frame building, shingle roof.
- Bond Lake, Dwelling 24 ft. 4 in. x 16 ft. 2 in., 1½ storey frame building with 1 storey Ell 20 ft. 6 in. x 12 ft. 4 in.
- " Garage, 16 ft. 3 in. x 9 ft. 3 in. frame building, shingle roof.
- " Lavatory, 8 ft. 0 in. x 6 ft. 0 in., frame lean-to building, with shingle slope roof.
- " Double dwelling, 40 ft. 4 in. x 21 ft. 10 in., 1½ storey frame building, concrete foundation, shingle roof, with 1 storey Ell 21 ft. 6 in. x 12 ft. 4 in.
- " Barn, 23 ft. 3 in. x 19 ft. 7 in., frame building, shingle roof.
- " Dwelling, 30 ft. 6 in. x 18 ft. 6 in., frame building, 1½ storey concrete foundation, shingle roof and Ell, 14 ft. 0 in. x 12 ft. 6 in.
- " Cottage, 30 ft. 8 in. x 30 ft. 8 in., frame building, masonry foundation, shingle roof.
- " Platform shelter, 59 ft. 1 in. x 13 ft. 2 in., with frame cover 48 ft. 8½ in. x 26 ft. 6 in.
- " Dwelling, 26 ft. 3 in. x 18 ft. 4 in., 1½ storey frame building, shingle roof, and Ell 16 ft. 4 in. x 18 ft. 5 in., with store 14 ft. 5 in. x 17 ft. 0 in.
- " Barn, 30 ft. 2 in. x 24 ft. 3 in., frame building.
- " Cook house, 31 ft. 2 in. x 22 ft. 3 in., frame building, on posts.
- " Pavilion, 80 ft. 7 in. x 42 ft. 8 in., frame cover, shingle roof.
- " Pavilion annex, 37 ft. 2 in. x 28 ft. 6 in., frame cover, shingle roof.
- " Boat house, 45 ft. 9 in. x 24 ft. 5 in., frame building, shingle flat roof.
- Aurora Station, freight room and dwelling, 64 ft. 4 in. x 24 ft. 0 in., 2 storey frame building, covered with sheet metal roof, paper and shingles.
- Newmarket—Dwelling, 25 ft. 4 in. x 19 ft. 5 in., 1½ storey frame building, concrete foundations, with 1 storey Ell, 12 ft. 5 in. x 10 ft. 1 in., and lean-to, 10 ft. 8 in. x 18 ft. 4 in., slope roof.
- " Station, freight house and dwelling, 41 ft. 0 in. x 22 ft. 10 in., 2 storey frame building, shingle roof, with 1 storey freight room, 50 ft. 7 in. x 22 ft. 10 in., sheet metal siding, shingle and sheet tin roof.
- Sharon (Stop 74)—Shelter, old car.
- Doane Side Road (Stop 75)—Shelter and freight room, 20 ft. 6 in. x 12 ft. 4 in., frame building, shingle roof.
- Queensville—Station and freight room and dwelling, 36 ft. 2 in. x 19 ft. 0 in., 2 storey frame building.
- Colborne Crossing (Stop 77)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.
- Boags (Stop 78)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.
- Cowiesons (Stop 79)—Freight shed, 12 ft. 0 in. x 8 ft. 0 in., frame lean-to, slope roof.
- Ravenshoe (Stop 80)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.
- Peters (Stop 81)—Freight shed, 16 ft. 4 in. x 12 ft. 4 in., frame building, shingle roof.
- Keswick (Stop 83)—Station and freight room, 34 ft. 4 in. x 15 ft. 2 in., frame building; tool house, 16 ft. 4 in. x 12 ft. 5 in., frame building.
- Orchard Beach (Stop 85)—Shelter, old car.
- Boyers (Stop 86)—Station and freight room, 24 ft. 2 in. x 16 ft. 4 in., frame building, shingle roof.

- Roche's Point (Stop 87)—Shelter, 15 ft. 8 in., frame building.  
 Stop 87½—Platform.  
 Base Line (Stop 88)—Shelter, 14 ft. x 7 ft., frame building.  
 Hamilton's Crossing (Stop 89)—Shelter, 14 ft. x 10 ft., frame building.  
 Brighton Beach (Stop 90)—Platform.  
 Varney Road (Stop 91)—Platform.  
 Eastbourne (Stop 92)—Shelter, 9 ft. 6 in. x 12 ft. 4 in., frame building, shingle roof.  
 Indian Grove (Stop 92½)—Station and freight room, 32 ft. 4 in. x 16 ft. 4 in., frame building, on concrete posts, shingle roof.  
 Willow Beach (Stop 95)—Shelter and freight room, 20 ft. x 16 ft., frame building, shingle roof.  
 Willow Beach (Stop 95½)—Platform.  
 Sunnyside (Stop 96)—Station and freight shed, 24 ft. 2 in. x 16 ft., frame building, shingle roof.  
 Salvation Army (Stop 97½)—Shelter, 12 ft. x 16 ft., frame building.  
 Glen Sibbald (Stop 98)—Platform.  
 Jackson's Point (Stop 99)—Platform, shelter and freight room, frame cover to concrete platform, 32 ft. 6 in. x 51 ft., including freight room, 21 ft. 2 in. x 10 ft. 6 in., and office, 11 ft. x 12 ft. 2 in.  
 Sutton (Stop 100)—Station, freight room and dwelling, 40 ft. 3 in. x 35 ft. 4 in., 2 storey frame building, sheet metal and brick first storey, and clapboard second storey, shingle roof.  
 Birch Avenue—Stables, 24 ft. x 40 ft., frame building, with loft office, 12 ft. x 12 ft., frame building, one storey, freight shed, 21 ft. x 30 ft., brick building, with platform adjoining stables; waggon shed, 46 ft. x 30 ft., frame building.  
 1422 Yonge Street—Freight office, 12 ft. x 28 ft., one storey frame building.  
 1422 Yonge Street—Freight shed, 22 ft. x 30 ft., frame building; platform, 22 ft. x 32 ft.  
 Mount Pleasant Store House—41 ft. 6 in. x 62 ft., 2 storey brick building.  
 North Toronto Station and Ticket Office.

#### FURNITURE.

Furniture and fixtures in the following building:—

- Offices of the Toronto and York Radial Railway, located at 84 King Street East, Toronto.  
 St. Clair Avenue, Car Barns.  
 Ticket Office and Waiting-room, North Toronto.  
 Richmond Hill Station and Freight House.  
 Aurora Station and Freight House.  
 Newmarket Station and Freight House.  
 Queensville Station.  
 Keswick Station.  
 Jackson's Point Station.  
 Mount Pleasant Store-room.  
 Sutton Station.  
 At various points along line fifteen loading plates.

#### MISCELLANEOUS EQUIPMENT.

- 9 Motor trucks.  
 6 heavy draft horses with harness.  
 6 waggons and  
 3 sleighs and stable equipment.

#### MATERIALS AND SUPPLIES.

All materials and supplies at the following places on December 1st, 1920:—

St. Clair Avenue Storehouse.

Mount

Mount Pleasant Storehouse, C. & N. O. connection, S. & A. Jctn.  
material yard.

Newmarket and various places along the line.

#### PASSENGER CARS.

19 Double truck, double end closed motor passenger cars.

#### FREIGHT AND EXPRESS CARS, SERVICE EQUIPMENT AND LOCOMOTIVES.

5 Single truck, miscellaneous cars.

41 Double truck miscellaneous cars and locomotives.

#### ELECTRIC EQUIPMENT FOR CARS.

General Electric No. 90 motors—50 h.p. 34.

General Electric No. 57 motors—50 h.p. 40.

General Electric No. 67 motors—40 h.p. 22.

General Electric No. 1000 motors—35 h.p. 6.

Westinghouse Electric No. 101 motors—40 h.p. 24.

Westinghouse Electric No. 112 motors—75 h.p. 4.

#### SHOP EQUIPMENT.

1 Pinion puller, complete (air)

1 Acetylene welding and cutting torch (complete).

1 Small lathe.

1 Field winding machine.

1 3-ton portable crane.

1 Clark and Derhill (Galt) 16 inches.

Jointer head table 22½ inches by 7 inches by 3 ft.

1 Band-saw frame.

1 160-ton wheel press.

1 Heavy axle and wheel lathe with chuck 18 feet bed. (London  
Mach. Tool.)

1 Bertram lathe 14 ft. bed with 21 inches swing.

1 Lathe with 8 ft., bed, with 20 inches swing.

1 Iron shaping machine (London Mach. Co.) 25-inch stroke.

1 Emery stand.

1 14-inch power hack saw.

1 Bolt cutting machine.

1 Radial drill 36-inch swing (London Mach. Tool Co.).

1 20-inch drill press.

1 Trip hammer (motor driven).

1 30 ft. Monorail (6 ft. 1 in) overhead crane.

1 Reavell Co., Ltd., quadruplex air compressor No. 2105.

1 Motor for above—65 B.H.P.—250 R.P.M. 110 amps., 500 volts.

1 Automatic switchboard for same (Bruce Peebles Co., Scotland).

1 Canadian Rand compressor, size O, No. 4787.

1 Motor for same, C. G. E. class—3-35-650, 35 h.p., form B., 60 amps.,  
500 volts, 650 r.p.m.

And all small tools, miscellaneous equipment, motor parts, control  
parts and other miscellaneous parts, air brake equipment,  
trucks, wheels on axles, miscellaneous car parts, store-room sup-  
plies and compressor parts in shops.

#### SUBSTATIONS AND SUBSTATION RAILWAY EQUIPMENT.

##### PROPERTY USED FOR RAILWAY PURPOSES.

##### *York Mills Substation.*

Brick building, 30 feet x 60 feet (approximate).

##### *Railway Equipment.*

2—500 k.w. induction motors, generator sets.

Switching equipment for above.

*Bond Lake Substation.*

Brick building, 20 feet x 28 feet and 100 feet x 100 feet.

*Railway Equipment.*

- 1—500 k.w. induction motor generator set.
- 1—Steam and motor-driven air compressor.
- Switching equipment for above.
- 1—D. C. armature (spare) at C. W. Co., in repairs.

*Newmarket Substation.*

Brick building, 40 feet x 80 feet.

*Railway Equipment.*

- 2—500 k.w. induction motor generator sets.
- Switching equipment for above.

*Keswick Substation.*

Frame building with sheet iron siding, 50 feet x 75 feet, and 10 feet x 10 feet.

*Railway Equipment.*

- 1—500 k.w. induction motor generator set.
- 1 Steam and motor-driven air compressor.
- Switching equipment for above.

## SCHOMBERG AND AURORA RAILWAY.

*Right of Way.*

Right of Way—121,829 acres.

*Other Lands.*

- S. & A. Junction property—7.10 acres.
- Grand Trunk Interchange—7.37 acres.
- Sub-station, Kettleby—0.595 acres.
- Schomberg station yard—1.929 acres.

*Roadway.*

Roadway, extending from S. & A. Junction, to Schomberg, including grading track work, with sidings and turnouts, bridges, trestles and culverts, distribution system, telephone system, fences and signs.

*Roadway, Machinery and Tools.*

Roadway, machinery and tool equipment in possession of gang on maintenance of way and structures.

*Stations and Miscellaneous Buildings.*

- Schomberg Junction—Station, 24 feet 6½ inches x 16 feet 7 inches, frame building, shingle roof.
- Freight house, 25 feet 5 inches x 15 feet 6 inches, frame building. Tool house.
- Eversley (Stop 160)—Shelter, 14 feet x 11 feet, frame building, shingle roof.
- Stop 163—Shelter, 14 feet x 11 feet, frame building, shingle roof, tool house.
- Kettleby (Stop 166)—Shelter and freight room, 19 feet 8 inches x 13 feet 10 inches.
- Schomberg—Station and dwelling, 33 feet 2½ inches x 21 feet, one storey brick building with one storey frame, Ell 17, 3½ feet x 17 feet 5 inches.
- Freight house, 28 feet 4 inches x 18 feet 3 inches, frame, tool house.

*Furniture.*

Furniture and fixtures in the following buildings:—

- Schomberg Junction freight house and Schomberg station and freight house.

*Substation*

*Substation and Substation Railway Equipment.*

Schomberg and Aurora sub-station.

Brick building, 21 feet x 30 feet.

Railway equipment.

1—500 k.w. induction motor generator set.

Switching equipment for above.

*Materials and Supplies.*

All materials and supplies stored along the line.

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SCHEDULE "A" (b).

Draft agreement relating to the Mimico Division;

This indenture made the first day of December, in the year of our Lord, one thousand nine hundred and twenty,

Between:

The Hydro-Electric Power Commission of Ontario (hereinafter called the "Commission") of the first part,

and

The Corporation of the City of Toronto (hereinafter called the "Corporation"), of the second part.

Whereas the Commission has, at the request of the Corporation, acquired for and on behalf of the Corporation certain properties of the Mimico Division of the Toronto and York Radial Railway Company, all as described and set out in Schedule "A" (b) hereto, and hereinafter called the "Railway" to be controlled, equipped and operated under the terms of *The Hydro-Electric Railway Act, 1914*, and of a special Act authorizing this agreement;

And whereas the Corporation has requested the Commission to control, equip and operate, and the Commission has agreed with the Corporation on behalf of the Corporation to control, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of the Corporation have voted in favour of authorizing the Corporation to enter into the necessary agreements with the Commission for acquiring the railway;

And whereas the Corporation has issued debentures for the amounts set forth in clause 2 (b) hereof, and has deposited the said debentures with the Commission.

Now therefore, this indenture witnesseth:—

1. In consideration of the premises and of the agreements of the Corporation herein contained, and subject to the provisions of the said Acts and amendments thereto, the Commission agrees with the Corporation,

(a) To equip and operate the railways on behalf of the Corporation, subject to clauses 11 and 12 hereof;

(b) To issue bonds, as provided in clause 3 hereof to cover the cost of acquiring the railway;

(c)

(c) To furnish as far as possible first-class modern and standard equipment for use on the railways, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railways consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e) To utilize the routes and property of the railways for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses, including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2 b hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission;—

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to the amount of \$260,000.00, maturing in fifty years from 1st December, 1920, and bearing interest at a rate

rate of six per centum per annum, payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned. The said debentures are similar to debentures to be issued by the Corporation under the provisions of two other agreements between the parties hereto of even date herewith respecting the Metropolitan Division and the Scarborough Division of the Toronto and York Radial Railway, and the total amount of debentures to be issued by the Corporation under the three agreements, for the acquisition of the three railways is \$2,375,000.00;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$260,000.00, provided that the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use on the railway, and provided that with the approval of the Lieutenant-Governor in Council the Commission may dispose of any property not required for the purpose of the railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in security of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses, including the supply of electrical power or energy and the cost of administration and annual charge for interest, set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than forty years for the payment of all the said bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof, at maturity, and the Commission shall have power from time to time to issue bonds under the provisions of the said Special Act for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said first day of December, 1920.

5. (1) The Corporation is authorized to issue debentures to the amount of \$260,000.00, payable in fifty years from 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall, from time to time thereafter

after upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount of any increase as provided in subsection 3 of section 9, of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expense, including the electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of such deficits the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount or premium and such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3, and for any payment required to be made by the Corporation under this agreement or the said Act.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provisions being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination of the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected, without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the Council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporation; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or in which a part of the railway is situate applies to the Commission for admission as a party to this agreement for the acquisition and operation of the railway or for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying municipality or municipalities in the form, so far as applicable, of this agreement, and containing paragraphs 1 *m* and *o*; paragraph 2 *e* and paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant-Governor in Council and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject only to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof be subject to renewal, with the consent of the Corporation, from time to time for like periods of fifty years. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed by the Corporation under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

13. This agreement shall not come into effect until it has been authorized by an Act of the Legislature of Ontario.

In witness whereof the Commission and the Corporation have respectively affixed their Corporate Seals under the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO,

*Chairman.*

(Seal)

*Secretary.*

THE CORPORATION OF THE CITY OF TORONTO.

*Mayor.*

(Seal)

*City Clerk.*

MIMICO

## MIMICO DIVISION.

The Mimico Division, as understood in this agreement, shall include all of the right-of-way, other lands and real estate, road bed, bridges, trestles, culverts, fences, signs, track, track tools, poles and fixtures, distribution system, shops, car houses, offices, stations, miscellaneous buildings, passenger cars, freight cars, service cars, shop equipment, furniture, stores, substations, substation equipment owned on the 1st day of December, 1920, by the Toronto & York Radial Railway Company, and operated on that date as the Mimico Division thereof and consisting of a single track line of electric radial railway with sidings, spurs, and all necessary appurtenances extending from the westerly limits of the City of Toronto, on the Toronto and Hamilton Highway to Port Credit, a distance of 8.37 miles, all as set out more particularly in the following schedule:

*Right-of-Way.*

At Mimico Creek, 2,756 ft. ....	2.71 acres.
New Toronto property, 37 ft. x 1,705 ft. ....	1.45 "
Long Branch (45 ft. and 50 ft.) x 1,416 ft. ...	1.52 "
Etobicoke Creek, 3,415 ft. ....	6.77 "

*Other Lands.*

## Humber property.

Lake Shore Road and Queen St.

344 ft. x (143 ft. and 95 ft.)

75 ft. x 210 ft.

63 ft. x 219 ft.

25 ft. x 233 ft. .... 1.967 acres.

*Roadway.*

Extending from West Toronto city limits on Lake Shore Rd. to Port Credit, including bridges, trestles and culverts, track work with all turnouts and sidings, poles and fixtures, distribution system with feeders and telephone system, fences and signs.

*Roadway, Machinery and Tools.*

Roadway, machinery and tool equipment in possession of maintenance of way force on way and structures.

*Furniture.*

Furniture and fixtures in the following buildings:

Foreman's office at car barns.

Sunnyside despatching office.

Waiting room at Sunnyside.

*Passenger and Miscellaneous Cars.*

17 motor passenger cars and 8 miscellaneous cars.

*Stations and Miscellaneous Buildings.*

Humber—Shelter, 12 ft. 5 in. x 8 ft. 8 in., frame building, shingle roof.

Shelter and candy shop, irregular shape, frame building.

Stop 14—Shelter, 10 ft. x 6 ft., frame lean-to.

" 18 " " " " "

" 29 " " " " "

" 31 " " " " "

" 35 " " " " "

*Substations and Substation Railway Equipment.*

Property used for railway purposes.

Humber substation—sheet iron building.

Railway equipment—2 500 k.w. induction motor generator sets.

Switching equipment for above.

*Material and Supplies.*

All materials stored along the line.

*Motor Equipment for Cars.*

General Electric, 67 motors, 40 h.p. .... 44

General Electric, 57 motors, 50 h.p. .... 28

72

*Shop equipment.*

All small tools and electrical equipment, air-brake equipment, trucks, miscellaneous car parts and miscellaneous store-room supplies in Sunnyside car barns.

SCHEDULE

## SCHEDULE "A" (c).

Draft agreement relating to the Scarboro Division;

This indenture made the first day of December, in the year of our Lord, one thousand nine hundred and twenty,

Between:

The Hydro-Electric Power Commission of Ontario (hereinafter called the "Commission") of the first part,

and

The Corporation of the City of Toronto (hereinafter called the "Corporation"), of the second part.

Whereas the Commission has, at the request of the Corporation, acquired for and on behalf of the Corporation certain properties of the Scarboro Division of the Toronto and York Radial Railway Company, all as described and set out in Schedule "A" (c) hereto, and hereinafter called the "Railway" to be controlled, equipped and operated under the terms of *The Hydro-Electric Railway Act, 1914*, and of a special Act authorizing this agreement;

And whereas the Corporation has requested the Commission to control, equip and operate, and the Commission has agreed with the Corporation on behalf of the Corporation to control, equip and operate the railway upon the terms and conditions and in the manner herein set forth; but upon the express condition that the Commission shall not in any way be liable for any financial or other obligation or loss whatsoever by virtue of this agreement or arising out of the performance of the terms thereof;

And whereas the electors of the Corporation have voted in favour of authorizing the Corporation to enter into the necessary agreements with the Commission for acquiring the railway;

And whereas the Corporation has issued debentures for the amounts set forth in clause 2 b hereof, and has deposited the said debentures with the Commission.

Now therefore, this indenture witnesseth:—

1. In consideration of the premises and of the agreements of the Corporation herein contained, and subject to the provisions of the said Acts and amendments thereto, the Commission agrees with the Corporation,

(a) To equip, and operate the railways on behalf of the Corporation, subject to clauses 11 and 12 hereof;

(b) To issue bonds, as provided in clause 3 hereof, to cover the cost of acquiring the railway;

(c) To furnish as far as possible first-class modern and standard equipment for use on the railways, to operate this equipment so as to give the best service and accommodation possible, having regard to the district served, the type of construction and equipment adopted and all other equitable conditions, and to exercise all due skill and diligence so as to secure the most effective operation and service of the railways consistent with good management;

(d) To regulate and fix the fares and rates of toll to be collected by the railway for all classes of service;

(e) To utilize the routes and property of the railways for all purposes from which it is possible to obtain a profit;

(f) To combine the property and works of the railway and the power lines of the Commission where such combination is feasible and may prove economical to both the railway and users of the power lines;

(g) To permit and obtain interchange of traffic with other railways wherever possible and profitable; provided always, and it is hereby agreed, that the Commission will not operate any of the trams, cars or other rolling stock of said railway on any highway within the limits of the City of Toronto without first obtaining the consent of the Corporation;

(h) To supply electrical power or energy for operation of the railway at rates consistent with those charged to municipal corporations;

(i) To apportion annually the capital costs and operating expenses of all works, apparatus and plant used by the railway in common with the Commission's transmission lines in a fair manner, having regard to the service furnished by the expenditure under consideration;

(j) To apply the revenue derived from operation of the railway and any other revenue derived from the undertaking to the payment of operating or working expenses, including the supply of electrical power or energy, and the cost of administration and annual charges for interest and sinking fund on the money invested, and such other deductions as are herein provided for;

(k) To set aside from any revenue thereafter remaining an annual sum for the renewal of any works belonging in whole or in part to the undertaking;

(l) To take active steps for the purpose of taking over, equipping and operating the railway at the earliest possible date after the execution of this agreement by the Corporation and the deposit of the debentures as called for under clause 2 b hereof;

(m) To pay over annually to the Corporation, if deemed advisable by the Commission in the interests of the undertaking, any surplus that may remain after providing for the items above mentioned.

2. In consideration of the premises and of the agreements herein set forth, the Corporation agrees with the Commission:—

(a) To bear as hereinafter provided the cost of acquiring, equipping, operating, maintaining, repairing, renewing and insuring the railway and its property and works as established by the Commission;

(b) To issue debentures to the amount of \$240,000.00, maturing in fifty years from 1st December, 1920, and bearing interest at a rate of six per centum per annum, payable half-yearly at the office of the City Treasurer in the City of Toronto, Ontario, which shall be deposited with the Commission previous to the issuing of the bonds hereinafter mentioned. The said debentures are similar to debentures to be issued by the Corporation under the provisions of two other agreements between the parties hereto of even date herewith respecting the Metropolitan Division and the Mimico Division of the Toronto and York Radial Railway, and the total amount of debentures to be issued by the Corporation under the three agreements, for the acquisition of the three railways is \$2,375,000.00;

(c) To make no agreement or arrangement with, and to grant no bonus, license or other inducement to any other railway or transportation company without the written consent of the Commission;

(d)

(d) To keep, observe and perform the covenants, provisos and conditions set forth in this agreement intended to be kept and observed and performed by the Corporation, and to execute such further or other documents and to pass such by-laws as may be requested by the Commission for the purpose of fully effectuating the objects and intent of this agreement.

3. It shall be lawful and the Commission is hereby authorized to create or cause to be created an issue of bonds to be charged upon and secured by the railway and its undertaking, and all the assets, rights, privileges, revenue, works, property and effects belonging thereto and to be for the amount of \$240,000.00, provided that the Commission may, upon obtaining the consent as herein defined of the Corporation, increase the said bond issue by any amount necessary to cover the capital cost of extensions, improvements and additional works or equipment of any kind for use on the railway, and provided that with the approval of the Lieutenant Governor in Council the Commission may dispose of any property not required for the purpose of the railway and use or dispose of the whole or part of the proceeds thereof in expenditure on capital account or invest the whole or part thereof in security of the Province of Ontario for the retirement of the said bonds at maturity.

4. In order to meet and pay such bonds and interest as the same become due and payable the Commission shall in each year after the expiration of ten years from the date of the issue of the bonds out of the revenue of the railway after payment of operating or working expenses, including the supply of electrical power or energy and the cost of administration and annual charge for interest, set aside annually such sums as may be necessary to provide a sinking fund, on basis of not more than forty years for the payment of all the said bonds which shall be held for and applied toward the payment of such bonds or any renewals thereof, at maturity and the Commission shall have power from time to time to issue bonds under the provisions of the said Special Act for the purpose of providing for such additional money as may be necessary with the accumulated sinking fund on hand to repay the bonds so issued when the same respectively mature, provided that the sum so set aside for sinking fund shall be sufficient to provide for payment of all the bonds issued on account of the said railway within fifty years from the said first day of December, 1920.

5. (1) The Corporation is authorized to issue debentures to the amount of \$240,000.00, payable in fifty years from 1st day of December, 1920, and bearing interest at the rate of six per cent. per annum, payable half-yearly.

(2) Upon the execution of the said agreements the Corporation shall issue and deposit the said debentures with the Commission; and is further authorized to and shall, from time to time thereafter upon the requisition in writing of the Commission, issue and deposit with the Commission further similar debentures for the same amount of any increase as provided in subsection 3 of section 9, of the bond issue of the Commission to cover the capital cost of extensions or improvements of the railway.

(3) In the event of the revenue derived from the operation of the railway being insufficient in any year to meet the operating or working expense, including the electric power or energy and the cost of administration and the annual charges for interest and sinking funds on the bonds and for the renewal of any works belonging in whole or in part to the railway, such deficits shall be paid upon demand of the Commission by the Corporation. Any arrears of the Corporation shall bear interest at the rate of six per cent. per annum. If the Corporation shall make default in payment of such deficits the Commission shall thereupon sell or otherwise dispose of so much of the debentures of the Corporation as shall be necessary to supply such deficiency at such rates of discount

discount or premium and such terms and conditions as the Commission in its sole discretion shall deem to be in the interests of the railway, the proceeds of such debentures being used solely for the purposes herein contained.

(4) If the remaining debentures are insufficient in the opinion of the Commission to meet all payments required to be made by the Corporation under this Act or the said agreements, the Corporation is hereby authorized to and shall issue and deposit forthwith with the Commission similar debentures to an amount sufficient in the opinion of the Commission to make up the deficiency.

(5) All debentures issued and deposited with the Commission under this clause shall be held by the Commission as collateral security for the bonds issued by the Commission under clause 3, and for any payment required to be made by the Corporation under this agreement or the said Act.

6. In case the Commission shall at any time or times be prevented from operating the railway or any part thereof by strike, lockout, riot, fire, invasion, explosion, act of God, or the King's enemies, or any other cause reasonably beyond its control, then the Commission shall not be bound to operate the railway or such part thereof during such time; but the Corporation shall not be relieved from any liability or payment under this agreement, and as soon as the cause of such interruption is removed the Commission shall, without any delay, continue full operation of the railway, and the Corporation shall be prompt and diligent in doing everything in its power to remove and overcome any such cause or causes of interruption.

7. It shall be lawful for, and the Corporation hereby authorizes the Commission to unite the business of the railway with that of any other railway system operated in whole or in part by the Commission, and to exchange equipment and operators from one system to the other, proper provision being made so that each system shall pay its proportionate share of the cost of any equipment used in common.

8. If at any time any other municipal corporation applies to the Commission for an extension of the railway into its municipality the Commission shall notify the applicant and the Corporation in writing of a time and place to hear all representations that may be made as to the terms and conditions relating to such proposed extension. If, on the recommendation of the Commission, such extension shall be authorized, without discrimination of the applicant, as to the cost incurred or to be incurred for or by reason of any extension, the Commission may extend the railway upon such terms and conditions as may appear equitable to the Commission.

No such application for an extension of the railway into any municipality shall be granted if it is estimated by the Commission that the cost of service of the railway to the Corporation will thereby be increased or the revenue and accommodation be injuriously affected without the consent of the Corporation.

9. The consent of the Corporation required under this agreement shall mean the consent of the Council of such Corporation, such consent being in the form of a municipal by-law duly passed by the Council of the Corporation.

10. The railway and all the works, property and effects held and used in connection therewith, constructed, acquired, operated and maintained by the Commission under this agreement and the said Act shall be vested in the Commission on behalf of the Corporation; but the Commission shall be entitled to a lien upon the same for all money expended by the Commission under this agreement and not repaid.

11. If at any time one or more of the municipalities through which the railway now passes or in which a part of the railway is situate applies to the Commission for admission as a party to this agreement for the acquisition and operation of the railway or for the extension thereof in or through the territory of such municipality upon such terms and conditions and subject to such contributions as if it had been a party to this agreement at the date thereof for the acquisition and operation of the said railway, the Commission shall take such steps and permit such votes to be taken as are necessary under the provisions of the said Act to authorize such municipality or municipalities to enter into an agreement under the Act to acquire such an interest.

The Corporation shall thereafter upon the request of the Commission enter into a new agreement with the Commission and the applying Municipality or Municipalities in the form, so far as applicable, of this agreement and containing paragraph 1 *m* and *o*; paragraph 2 *e* and paragraphs 5, 10, 12 and 13 of the standard form of agreement set out in *The Hydro-Electric Railway Act, 1914*, and such other provisions as may be approved by the Lieutenant Governor in Council and this agreement shall be deemed to be modified accordingly, and shall remain in full force and effect, subject only to such modifications.

12. This agreement shall continue and extend for a period of fifty years from the date thereof, and at the expiration thereof be subject to renewal, with the consent of the Corporation, from time to time for like periods of fifty years. At the expiration of this agreement the Commission shall determine and adjust the rights of the Corporation, having regard to the amounts paid or assumed by the Corporation under the terms of this agreement, and such other consideration as may appear equitable to the Commission and are approved by the Lieutenant-Governor in Council.

13. This agreement shall not come into effect until it has been authorized by an Act of the Legislature of Ontario.

In witness whereof the Commission and the Corporation have respectively affixed their Corporate Seals under the hands of their proper officers.

THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO.

*Chairman.*

(Seal)

*Secretary.*

THE CORPORATION OF THE CITY OF TORONTO.

*Mayor.*

(Seal)

*City Clerk.*

#### SCARBORO DIVISION.

The Scarboro Division, as understood in this agreement, shall include all of the right-of-way, other lands and real estate, road bed, bridges, trestles, culverts, fences, signs, track, track tools, poles and fixtures, distribution system, shops, car houses, offices, stations, miscellaneous buildings, ballast pits, park and resort property, passenger cars, freight cars, service cars, shop equipment, furniture, stores, substations, substation equipment, owned on the 1st day of December, 1920, by the Toronto and York Radial Railway Company, and operated on that date as the Scarboro Division thereof, and consisting of a single track line of electric radial railway, with sidings, spurs, and all other necessary appurtenances extending from the easterly limits of the City of Toronto on the Kingston

Road

Road to West Hill, a distance of 8.3 miles, together with certain parcels of real estate, all as set out more particularly in the following schedule:

*Right-of-Way.*

1.85 miles, 40 ft. wide—11.97 acres.

*Other Lands.*

Substation property—

Part of Lot No. 35, N. side Kingston Rd.

Scarboro Twp., 100 x 200—0.458 acres.

Car barn property—

Part of Lot No. 32, S. side Kingston Rd.

Scarboro Twp., 167 ft. x (180 ft. & 253 ft.)—0.75 acres.

Park property—

Part of Lot No. 21, S. side Kingston Rd.

Scarboro Twp., 791 ft. x 4,013 ft.—58.2 acres.

Farm near gravel pit—

Part of Lot No. 14, N. side Kingston Rd.

Scarboro Twp.—95 acres.

*Roadway.*

Extending from easterly limits of Toronto on the Kingston Road to West Hill, including bridges, trestles and culverts, track work, with all turnouts and sidings, poles and fixtures, distribution system, with feeders, telephone system, fences and signs.

*Roadway, Machinery and Tools.*

Roadway, machinery and tool equipment in possession of maintenance of way forces on way and structures.

*Stations, Miscellaneous Buildings and Structures.*

Stop 18—Car barns, 122 ft. x 60 ft., brick building, flat roof.

Stop 15—Shelter, 14 ft. 2 in. x 12 ft., frame lean-to building.

Hunt Club (Stop 17)—Shelter, 10 ft. x 10 ft., frame building, French roof.

Stop 20—Shelter, 12 ft. x 7 ft. 6 in., steel frame, galvanized iron siding.

Brimley Rd. (Stop 28)—Shelter, 7 ft. x 4 ft. 2 in., frame building.

Scarboro Heights (Stop 33)—Pavilion, 79 ft. 8 in. x 40 ft. 7 in., frame building; cook house roof, 16 ft. 2 in. x 14 ft. 2 in., frame building, Ell 12 ft. x 5 ft.

Stop 34—Shelter, 10 ft. x 10 ft., frame building.

Stop 35—Shelter, 10 ft. 4 in. x 10 ft. 3 in., frame building, French roof.

Scarboro Golf Club (Stop 38)—Shelter, 23 ft. 5 in. x 8 ft. 5 in., frame building, flat roof.

Sta. 357—Tool house, 16 ft. 4 in. x 12 ft., frame building.

Stop 44—Shelter, 10 ft. x 8 ft., frame building.

*Furniture.*

All furniture and fixtures contained in car barns.

*Substation and Substation Railway Equipment.*

Property used for railway purposes.

Scarboro Substation.

Frame buildings, 37 ft. x 20 ft. and 23 ft. x 15 ft.

Railway equipment.

1 500 k.w. induction motor generator set.

Switching equipment for above.

*Materials and Supplies.*

All materials and supplies stored at various points along the line.

*Passenger, Service and Miscellaneous Cars.*

2 single truck passenger cars.

6 double truck passenger cars.

4 miscellaneous cars.

*Electric Equipment for Cars.*

General Electric, 67 motors, 40 h.p.....	32
General Electric, 57 motors, 50 h.p. ....	4
Westinghouse 101B motors, 40 h.p. ....	2
	<hr/>
Total motors .....	38

*Shop Equipment.*

All small tools contained at Scarboro shops.

*Materials and Supplies.*

All electrical equipment, air-brake equipment, truck parts, miscellaneous car parts, and miscellaneous store-room supplies.

## CHAPTER 25.

## An Act to amend The Highway Improvement Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Highway Improvement Act, 1921*.

\$7,000,000  
added to  
Highway  
Improve-  
ment Fund.

**2.** In addition to any sums heretofore appropriated for highway improvement and directed to be placed to the credit of the Highway Improvement Fund Account, the sum of \$7,000,000 to be chargeable upon and payable out of the Consolidated Revenue Fund shall be placed to the credit of the said account and shall be available for the purposes of *The Highway Improvement Act, The Provincial Highway Act, and The Ontario Highways Act* as part of the Highway Improvement Fund.

Rev. Stat.,  
c. 40,  
amended.

**3.** *The Highway Improvement Act* is amended by adding thereto the following section:—

By-law for  
levying of  
special rate  
on township  
property.

**13a.**—(1) Where a county includes an island which constitutes a separate township municipality and is part of the county for municipal purposes but is not included in any by-law passed under *The Highway Improvement Act* for the establishment of a county road system, the council of the township may by resolution passed on a second Monday in January in any year, request the council of the county to provide by by-law for levying on all rateable property in the township a special rate not exceeding 5 mills on the dollar of the equalized assessment of the township and for the application of the proceeds of such rate in the construction and improvement of roads in the township municipality.

(2) Every such by-law shall be subject to approval by the Department of Highways and shall be subject in all other respects to the provisions respecting by-laws of county councils for the construction and improvement of highways under *The Highway Improvement Act* as far as the same are applicable.

(3) All works undertaken under this section shall be subject to the provisions of *The Highway Improvement Act*.

(4) Upon compliance with the provisions of *The Highway Improvement Act* applicable to roads constructed or improved under this section, the Minister may direct the payment to the corporation of the county, out of the Highway Improvement Fund, of a sum equal to forty per cent. of the amount of the expenditure on any road constructed or improved under this section which is a county road, and not exceeding sixty per cent. of such expenditure upon any road so constructed or improved which is a county provincial road.

4. Subsections 3 and 4 of section 27 of *The Highway Improvement Act* are repealed.

Rev. Stat.,  
c. 40, s. 27,  
subs. 3,  
and 4  
repealed.

## CHAPTER 26.

## An Act to amend The Toronto and Hamilton Highway Commission Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

5 Geo. V,  
c. 18,  
amended.

**1.** *The Toronto and Hamilton Highway Commission Act* is amended by adding the following as section 33:

By-law No. 912 of Tp. of Toronto, and By-law No. 370 of New Toronto, and By-law No. 103 of Village of Port Credit, and By-law No. 420 of Town of Burlington. confirmed.

33. By-law No. 912 of the Corporation of the Township of Toronto, being a by-law to raise the sum of seventy-four thousand six hundred and seventy-five dollars and eighty-five cents upon debentures to provide for the Township of Toronto's share of the cost of the Toronto and Hamilton Highway;

By-law No. 370 of the town of New Toronto, being a by-law to provide for borrowing the sum of \$21,733.93 upon debentures to pay in part for the construction of the Toronto and Hamilton Highway within the limits of New Toronto, and works incidental thereto;

By-law No. 103 of the Corporation of the Village of Port Credit being a by-law to raise the sum of eighteen thousand nine hundred and twenty-eight dollars and ninety-eight cents upon debentures, said sum to be paid on account of the share of said corporation in the cost of the Toronto and Hamilton Highway; and

By-law No. 420 of the Corporation of the Town of Burlington, being a by-law to raise the sum of \$16,600 upon debentures to pay for the construction of the corporation's share of that por-

tion

tion of the Toronto and Hamilton Highway constructed within the limits of the Town of Burlington;

And all debentures issued or which may hereafter be issued under said by-laws or any of them are hereby confirmed and declared to be legal, valid and binding upon such municipal corporations and the ratepayers thereof respectively, and shall not be open to question upon any ground whatever.

**2.** This Act shall come into force on the date on which it receives the Royal Assent.

Date when  
Act takes  
effect.

## CHAPTER 27.

## An Act to amend The Provincial Highway Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Provincial Highway Act, 1921.*

1917,  
c. 16, s. 5,  
amended. **2.** *The Provincial Highway Act* is amended by adding thereto the following section:—

Right to  
open up  
and use  
original  
road  
allowance.

5a. Notwithstanding anything in any other Act contained, an original road allowance which has not been opened, or which has been occupied or partly occupied by an abutting owner or other person may be entered upon, taken, used and occupied for the purposes of a provincial highway provided that where any person shall have acquired the title to any land taken under this section, he shall be entitled to the like compensation as in the case of land expropriated for the purposes of a provincial highway.

1917,  
c. 16, s. 11,  
amended.

**3.**—(1) Section 11 of *The Provincial Highway Act* is amended by striking out the word “municipality” where it occurs in the first, fourth and fifth lines and inserting in lieu thereof the word “county” and by adding to the said section the following subsection:—

Contributions by municipalities other than county or by board or commission.

(2) The municipal corporation of any municipality other than a county or city and a park commission, board or commission having authority over the area in which a road to be assumed as part of a provincial highway lies, may enter into an agreement with the department for a contribution by the corporation of such municipality or by a park commission, board or commission, of

an

an amount not exceeding thirty per cent. of the expenditure made by the department in such area, and the corporation of the municipality shall have the like powers as a county contributing under subsection 1 of this section, and the park commission, board or commission shall be liable for the amount so agreed upon and the same shall be payable in the manner provided by subsections 9 and 10 of section 12.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of January, 1921.

To have effect from 1st Jany., 1921.

4. Subsection 8 of section 12 of *The Provincial Highway Act*, as amended by section 3 of *The Provincial Highway Amendment Act, 1919*, is repealed and the following subsections substituted therefor:—

1917, c. 16, s. 12, amended.

(8) Where the corporation of a county or other municipality is in default with respect to any payments due to the province under this Act, the amount so in default may be deducted from any sums due to the county or other municipality and payable out of the Highway Improvement Fund.

Deductions from other grants on default in municipal contributions.

(9) Where a road assumed as a provincial highway under this Act was at the time it was so assumed under the control of a park commission, or any board or commission established by statute and having authority over the area in which the road lies, the amount or proportion of expenditure which would under this Act be apportioned to a municipal corporation had the road been under the control of such corporation, may be apportioned by the engineer to and shall be a debt due to Ontario from such park commission, board or commission and shall be payable out of the revenues of such commission.

Contributions by commission or other controlling body.

(10) It shall be the duty of such park commission, board or commission to provide for the payment of any contribution required under subsection 10, in its estimates of annual expenditure, and every such park commission, board or commission shall have power to do all things necessary to provide for the payment of such contribution, and where authorized by statute to levy rates upon property within its jurisdiction, shall levy all necessary rates for the purposes hereof, anything

Provision for payment.

thing in any Act under which such park commission, board or commission is established to the contrary notwithstanding.

1917,  
c. 16, s. 14,  
subs. 3,  
amended.

Assent of  
electors not  
required.

5. Subsection 3 of section 14 of *The Provincial Highway Act* is amended by adding at the end thereof the following words: "and it shall not be necessary to obtain the assent of the electors to any by-law for the issue of such debentures, nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*."

1917,  
c. 16, s. 14,  
amended.

6. Section 14 of *The Provincial Highway Act* is amended by adding thereto the following subsection:

Continuing  
provincial  
highway  
through  
city, town  
or village.

(4) Where it is deemed by the Minister desirable and expedient that a highway or portion thereof within a city, town or village, including any necessary bridges, should be constructed as a connecting link between portions of a provincial highway or a provincial suburban highway, the department may designate such highway or portion thereof within the city, town or village to be constructed by the city, town or village, and the council of the corporation of the city, town or village may pass by-laws for issuing, and may issue debentures under the provisions of *The Municipal Act*, to be payable in twenty years at the furthest from the time or times when such debentures are issued, for an amount sufficient to pay the cost of the construction of the highway and bridges within the said city, town or village, but it shall not be necessary for the council to obtain the assent of the electors to any by-law for the issue of debentures under this subsection nor to observe the formalities in relation thereto prescribed by *The Municipal Act*.

Construc-  
tion as local  
improve-  
ment.

(a) Work required to be constructed under this subsection may be undertaken as a local improvement under *The Local Improvement Act* and in that case the council may by by-law fix the proportion of the cost of the work to be borne by the corporation at large as the council may deem proper.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 28.

## An Act respecting Provincial Aid to Drainage.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Aid to Drainage Act, 1921*, R.S.O. 1914, c. 42, s. 1. Short title.

**2.** In this Act “drainage work” shall mean and include any drainage work to which *The Municipal Drainage Act* applies. R.S.O. 1914, c. 42, s. 2. Interpretation—  
“Drainage work.”

**3.** This Act shall apply to the construction, improvement and re-construction of— Application of Act.

(a) The trunk channel or channels of any drainage work where the cost of such trunk channel or channels, exclusive of lateral drains or branches, but including a *pro rata* share of all incidental expenses, exceeds the sum of \$10,000;

(b) Any work for the purpose of rendering more effective a drainage work by embanking or pumping or other mechanical means where the cost of such work including the cost of all pumping machinery installed exceeds the sum of \$10,000.  
*See R.S.O. 1914, c. 42, s. 3.*

**4.** The council of a municipality initiating a drainage work, being or including work to which this Act applies, may, within one year after adopting the engineer's report, apply to the Lieutenant-Governor in Council by petition verified by a statutory declaration of the engineer, and setting forth the reasons why the whole cost of the work should not be assessed upon the land which would be liable to assessment therefor under *The Municipal Drainage Act*, and that aid should therefore be granted, accompanied by a verified Application for aid.  
Rev. Stat.,  
c. 198.

copy of the report, a statement of the cash value and the engineer's assessment of the land, and a field plan and profile of the proposed work. R.S.O. 1914, c. 42, s. 4.

Examina-  
tion and  
grant of  
aid on  
report.

**5.**—(1) When it appears that the drainage work is or includes a work to which this Act applies, the Lieutenant-Governor in Council may cause an examination thereof to be made by an engineer of the Public Works Department, who shall report fully thereon and upon all matters alleged in the petition, and upon his report and on the practical completion of the work, the Lieutenant-Governor in Council may assume and pay out of the Consolidated Revenue Fund to the treasurer of the initiating municipality, twenty per cent. of the cost of the work as described and limited in section 3 of this Act. See R.S.O. 1914, c. 42, s. 5.

Distribution  
of grant.

(2) The grant shall be distributed by the initiating municipality to other interested municipalities, on a *pro rata* basis, according to the engineer's assessment, and in each case the amount of the grant shall be applied to reduce the annual assessment on each property during the life of the by-law.

Rev. Stat.,  
c. 42,  
repealed.

**6.** *The Provincial Aid to Drainage Act*, being chapter 42 of the Revised Statutes of Ontario, 1914, is repealed.

## CHAPTER 29.

## An Act to amend The Agricultural Associations Act

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Agricultural Associations Amendment Act, 1921.* Short title.

**2.** Section 3 of *The Agricultural Associations Act* is Rev. Stat., c. 46, s. 3, amended by striking out the word “western” in the eighth amended. line thereof.

**3.** Section 20 of the said Act is amended by striking out Rev. Stat., c. 46, s. 20, the words “Eastern Ontario Live Stock and Poultry Show” amended. in the second and third lines thereof and inserting the words “Eastern Ontario Winter Fair.”

## CHAPTER 30.

## An Act to amend The Agricultural Societies Act

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Agricultural Societies Amendment Act, 1921.*

1917, c. 27,  
s. 14,  
amended.

**2.** Subsection 2 of section 24 of *The Agricultural Societies Act*, as amended by section 14 of *The Statute Law Amendment Act, 1917*, is amended by striking out the words "seventy-five" in the seventeenth and eighteenth lines thereof and inserting the word "ninety," and by striking out the words "three hundred" in the twenty-second line and inserting in lieu thereof the words "five hundred."

1914, c. 21,  
s. 12,  
amended.

**3.** Subsection 3 of section 24 of *The Agricultural Societies Act*, as enacted by section 12 of *The Statute Law Amendment Act, 1914*, is amended by striking out the figures "60" in the fourth and ninth lines and inserting in lieu thereof the figures "75," and by striking out the figures "300" in the twelfth line and inserting in lieu thereof the figures "500."

Walkerton  
Agricultural  
Society.

**4.** Notwithstanding anything contained in *The Agricultural Societies Act*, the society known as "The Walkerton Agricultural Society" is hereby declared to be an agricultural society and to have all the rights and privileges of an agricultural society under that Act.

Yarmouth  
and Belmont  
Agricultural  
Society.

**5.** Notwithstanding anything contained in *The Agricultural Societies Act*, the society known as "The Yarmouth and Belmont Agricultural Society" is hereby declared to be an agricultural society and to have all the rights and privileges of an agricultural society under that Act.

## CHAPTER 31.

## An Act to Finance Agricultural Development

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Agricultural Development Finance Act, 1921.* Short title.

2. The Treasurer of Ontario is hereby empowered to borrow money by means of deposits in any amounts and from any persons or corporations and to open offices for this purpose at such points in the Province of Ontario as he may find necessary. Powers of Provincial Treasurer to borrow.

3. Subject to the approval of the Lieutenant-Governor in Council the Treasurer may from time to time fix the conditions as to interest and repayments which shall govern such deposits but the rate of interest paid shall be not more than four per cent. per annum. Conditions as to interest and payment.

4. Monies available under this Act shall be used for investment for any one or all of the following purposes and no other;— For what purposes money may be used.

(a) Loans to members of associations under *The Ontario Farm Loans Act, 1921*; 1921, c. 33.

(b) Bonds or debentures issued under *The Agricultural Development Act, 1921*; 1921, c. 32.

(c) Bonds or debentures of or guaranteed by the Dominion of Canada or any Province of Canada;

(d) Bonds or debentures of or guaranteed by any municipality or school section in the Province of Ontario.

5. For the carrying out of this Act the Treasurer, with the approval of the Lieutenant-Governor in Council, may appoint such officers as he shall deem necessary and all expenses shall be paid out of and all revenue paid into the Consolidated Revenue Fund. Appointment of officers.

6. The Lieutenant-Governor in Council, upon the recommendation of the Treasurer, may make regulations for the better carrying out of this Act. Regulations.

7. This Act shall come into force upon a day to be named by the proclamation of the Lieutenant-Governor. Commencement of Act.

## CHAPTER

## CHAPTER 32.

## An Act for the Promotion of Agricultural Development.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Agricultural Development Act, 1921.*

Interpretation.

**2.** In this Act,—

"Board."

(a) "Board" shall mean Agricultural Development Board;

"Minister."

(b) "Minister" shall mean Minister of Agriculture.

Establishment of Board.

**3.**—(1) There shall be established a board to be known as the Agricultural Development Board, which shall consist of three persons to be appointed by the Lieutenant-Governor in Council.

Board, a body corporate.

(2) The board shall be a body corporate.

Duty of Board.

**4.** It shall be the duty of the board to promote agricultural development by means of loans as hereinafter provided and in such other manner as the board may deem advisable.

Board may issue bonds.

**5.** The board, with the approval of the Lieutenant-Governor in Council, shall have power from time to time to issue bonds of the board to the amount of \$500,000 in such denominations and at such rates of interest as the board may deem proper and subject to such conditions as to the sale and disposal thereof as the board may deem advisable.

Treasurer may purchase bonds.

**6.** The Lieutenant-Governor in Council may authorize the Treasurer of Ontario, out of the Consolidated Revenue Fund, to purchase any bonds issued by the board under the authority of the next preceding section.

**7.** All moneys received by the board from the sale of the bonds issued under section 5 shall be deposited in a separate account of the board in any chartered bank of Canada or in the office of any company or corporation authorized to accept deposits and such moneys shall be used solely for the purposes hereinafter set forth.

Proceeds of bonds, how dealt with.

**8.**—(1) The board, with the approval of the Lieutenant-Governor in Council, may from time to time issue debentures in such denominations and at such rate of interest as the board may deem advisable and as may be approved by the Lieutenant-Governor in Council, and the proceeds of any debentures so issued shall be disposed of in the manner provided by section 7 in respect to the proceeds of the sale of bonds issued by the board.

Power of Board to issue debentures.

(2) The debentures so issued shall be issued upon the security of the mortgages made to the board and shall not exceed the amount of such mortgages, and such debentures shall be a charge upon all the assets and revenues of the board.

Security.

(3) Notwithstanding anything in any other Act contained the bonds and debentures of the board shall be at all times a lawful investment for municipal, school and trust funds.

Lawful investment for municipal, school and trust funds.

**9.**—(1) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario to guarantee payment on behalf of the Province of Ontario of any bonds or debentures issued by the board under the authority of this Act.

Authority to guarantee payment of bonds and debentures.

(2) The form of guaranty and the manner of its execution shall be determined by the Lieutenant-Governor in Council.

Form of guaranty.

**10.**—(1) Out of the moneys at its disposal from time to time as the proceeds of the sale or hypothecation of any bonds or debentures issued by the board, the board may make loans for the following purposes and no other:—

Board may make loans, for what purposes.

(a) Acquiring land for agricultural purposes;

(b) The erection of farm buildings essential to production;

(c) To pay off charges existing against land at the time of acquisition by the borrower under a will or by descent.

Collateral  
security.

(2) Subsequently to the making of the loan the board may accept as collateral security for any loan made under the authority of this Act, a life insurance policy or an assignment thereof or any other security which the board may deem proper.

Qualification  
committees.

**11.** The board, with the approval of the Lieutenant-Governor in Council, may appoint qualification committees, each of which shall be composed of at least three competent persons, two of whom shall be practical farmers.

Qualifica-  
tions of  
applicants  
for loans.

**12.** Every applicant for a loan under this Act may be required to appear in person before the board or a qualification committee and shall submit evidence to the satisfaction of the board or committee—

(a) That he is a British subject of at least twenty-one years of age and has been resident in Ontario for at least three years;

(b) That he has had at least three years' experience in farming and has displayed average ability and capacity;

(c) That he is of good character;

(d) That he is actually engaged or intends to engage upon the land upon the security of which the loan is to be made.

Terms of  
loans.

**13.** A loan to any one person shall not exceed \$12,000 and shall not be made for a longer period than five years on the security of less than fifty acres of land, and every loan shall be secured by a first mortgage upon land suitable for agricultural purposes.

Valuator's  
report.

**14.**—(1) Before making a loan under this Act, the board shall secure from a competent valuator a report as to the value of the security offered by the applicant.

Land and  
buildings,  
how valued.

(2) The land and buildings shall be valued on the basis of their value for agricultural purposes.

Buildings  
to be  
insured.

(3) The buildings upon the land shall be insured to their full insurable value.

Extent of  
loan.

**15.** Where the board is satisfied that the conditions of this Act have been complied with and that agricultural development will be promoted by the loan, the board may make a loan to the applicant to the extent of sixty-five per cent.

cent. of the value of the security as shown by the valuator's report.

**16.**—(1) Every loan made under this Act shall be re-payable in equal annual instalments of principal and interest sufficient to discharge the debt at the end of such period as may be agreed upon, but no loan shall be made for more than twenty years nor less than three years. Loans, how repayable.

(2) Payments on account of the said loan in addition to those provided for in the mortgage or agreement may be made on any date on which an instalment of principal and interest falls due. Payments.

**17.** Every mortgage made under this Act shall be made in accordance with *The Short Forms of Mortgages Act*, and may contain such further covenants, provisos and conditions as the board may deem proper, and the board shall have and may exercise all the rights, powers and remedies with respect to any mortgage made under this Act as a mortgagee has under the laws of the Province of Ontario. Mortgages, how made.

**18.** All notices, mortgages, discharges or other documents of every kind and description made or used under this Act shall be prepared by the board or by some person to be designated by the board. Board to prepare notices, mortgages, etc.

**19.** If at any time in the opinion of the board any money advanced under this Act has not been or is not being applied for the purpose for which it was advanced, or is not being carefully and economically expended, or if the security depreciates in value the board may refuse to make any further advance and call in the whole amount already advanced and all interest thereon and declare the same to be immediately due and payable, whereupon the borrower shall at once repay the same, with interest at the rate set forth in the mortgage, and in default of payment the board shall have the like remedies for recovery of the same as if the time for repayment thereof had fully arrived. Where money mis-applied.

**20.**—(1) Every payment made on a mortgage given under this Act shall be disposed of as follows:— Payments on mortgages, how disposed of.

- (a) That portion of such payment which consists of interest shall be credited to the revenue fund of the board and form a part of its cash assets and be applied in the first instance in the payment of interest on the securities issued by the board;

- (b) That portion of such payment which consists of principal shall be transferred to and kept in a sinking fund account to provide for the payment when due of the principal of the securities issued by the board, and such account shall be kept entirely separate and distinct from the other accounts and funds of the board.

Other  
revenue  
of Board.

(2) Any other revenue of the board on account of loans shall be credited to a reserve fund account and shall at the end of each calendar month be transferred to the Consolidated Revenue Fund.

Money in  
sinking  
fund  
account,  
how may be  
invested.

**21.** The moneys required to be transferred to and kept in the sinking fund account may from time to time be invested by the board in securities of or guaranteed by the Province of Ontario or the Dominion of Canada or by any other Province of Canada or any municipality in Ontario.

Duty of  
Board to  
secure re-  
ports as to  
condition of  
securities.

**22.** It shall be the duty of the board from time to time to secure reports as to the condition of any securities taken by it for loans under this Act, and as to the progress and prospects of the borrowers, and for this purpose the Department of Agriculture may co-operate with the board by rendering assistance of an educational or other nature which appears calculated to facilitate the success of the borrower.

Salaries and  
travelling  
expenses  
of Board.

**23.** The Lieutenant-Governor in Council may fix the salaries or other remuneration and an allowance for travelling or other expenses of the board.

How  
payable.

**24.** The salaries or other remuneration of the board and its officers and employees and all expenses of the board or connected with the administration of this Act, shall be payable out of the Consolidated Revenue Fund upon the certificate of the Minister of Agriculture or of an officer designated by him for that purpose.

Appoint-  
ment of  
valuators.

**25.** The board with the approval of the Lieutenant-Governor in Council may appoint such valuers and other officers, and may engage such clerical and other assistance as may be deemed necessary in carrying out the work of the board.

Board to  
make annual  
report.

**26.**—(1) The board shall make an annual report in writing to the Minister on the 31st day of December, showing in detail the number and amount of loans made by the board during the last preceding fiscal year, and the amount of every issue of bonds or debentures made by the board and

outstanding

outstanding, with the date and terms of every such issue, and the expenses of administration, and with such other particulars as the Minister may require.

(2) Every such report shall be laid before the Assembly at the next ensuing session of the Legislature.

Report to be laid before ensuing session of Legislature.

**27.** The board with the approval of the Lieutenant-Governor in Council may from time to time make regulations respecting—

- (a) The meetings and proceedings of the board;
- (b) The respective duties of the staff and of the other persons employed by the board;
- (c) The mode in which applications for loans are to be made and the forms thereof;
- (d) The forms of mortgages to be taken by the board, including all provisions to be inserted therein;
- (e) The fees and expenses payable by borrowers under the provisions of this Act;
- (f) The conditions that may be imposed in regard to loans;
- (g) The consideration and granting of applications for loans;
- (h) The valuations to be made in relation to applications for loans;
- (i) The records, books and accounts to be kept by the board and the auditing of its accounts;
- (j) Any other matter necessary for the better carrying out of the purposes and objects of this Act.

**28.** This Act shall come into force on the day upon which it receives the assent of His Honour the Lieutenant-Governor.

Commencement of Act.

## CHAPTER 33.

## An Act respecting Short-Term Farm Loans in Ontario.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Ontario Farm Loans Act, 1921.*

Interpreta-     **2.** In this Act,—  
tion.

"Associa-     (a) "Association" shall mean Farm Loan Association  
tion."  
incorporated under the provisions of this Act;

"Board."     (b) "Board" shall mean Agricultural Development  
Board;

"Directors."     (c) "Directors" shall mean directors of a Farm Loan  
Association;

"Local     (d) "Local Municipality" shall mean township or in-  
Municipali-  
ty."  
corporated village.

"Minister."     (e) "Minister" shall mean Minister of Agriculture;

"Secretary-     (f) "Secretary-Treasurer" shall mean Secretary-  
Treasurer."  
Treasurer of a Farm Loan Association.

Farm Loan     **3.** A Farm Loan Association may be formed for the pur-  
Association.  
pose of loaning money under this Act in any part of Ontario  
described in the certificate of incorporation.

Application.     **4.** Where it is desired to form such an association, an  
application in such form as may be prescribed by the regula-  
tions and describing the territory for which the association  
is to be formed shall be forwarded to the Agricultural De-  
velopment Board at Toronto.

Temporary     **5.—(1)** The board shall name a person to act temporarily  
Secretary-  
Treasurer.  
as secretary-treasurer of the proposed association, and shall

instruct

instruct the secretary-treasurer to call a meeting of those interested.

(2) At such meeting five provisional directors shall be elected, and the work of organization shall be completed under their direction. Provisional directors.

6. Any person resident in the territory described in the application and actually engaged in farming operations, or agreeing to become so engaged within one year, shall be eligible for membership. Persons eligible for membership.

7. No association shall be deemed to be incorporated until a certificate of incorporation setting forth that all the terms of this Act have been complied with has been issued by the board as hereinafter provided. Certificate of incorporation.

### *Capital Stock.*

8.—(1) The amount of the capital stock of the association shall be fixed by the board and shall be made up as follows:— Capital stock.

(a) One share of par value of \$100 to be subscribed by each member;

(b) Shares of par value of \$100 to the extent of one-half of the total amount subscribed by individual members subscribed for by the corporations of local municipalities in the territory for which the association is formed;

(c) Shares of par value of \$100 each to the extent of one-half of the total amount subscribed by individual members subscribed for by the Government of Ontario.

(2) No association shall be incorporated or carry on business until at least thirty members have subscribed for stock in the association. Minimum number of members.

9. Each member shall pay ten per cent. of the par value of his stock at the time of subscription and the balance when called upon, and payments by municipal corporations and the Government of Ontario shall be made at the same time and in the same proportions as those of individual members. Terms of payments.

10. The council of any local municipality may in their discretion by by-law subscribe to the stock of any association incorporated under this Act to the extent and upon the terms herein provided, and may pay for the stock subscribed for and take all steps incidental thereto and to the carrying out of the provisions of this Act and may issue debentures of the corporation payable within a period not exceeding ten years Council of local municipality may subscribe.

years, for the amount of such subscription in the manner provided by *The Municipal Act*, but it shall not be necessary to submit any by-law for the issue of such debentures to the electors qualified to vote on money by-laws nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*.

Where two or more municipalities combine.

**11.** In the event of two or more municipalities combining in such subscription, the stock held by them may be held in the joint names of the corporations or severally in such proportions as they may agree upon, and may be acted upon in such joint or separate manner as they may from time to time agree upon.

Treasurer of Ontario, when may subscribe.

**12.** Upon receipt of a report from the board that an association is being formed in accordance with this Act, the Treasurer of Ontario, with the approval of the Lieutenant-Governor in Council, may subscribe for shares in accordance with clause *c* of section 8, and all necessary payments shall be made out of the Consolidated Revenue Fund or in bonds or other securities issued or guaranteed by the Province of Ontario.

Appointment of directors.

**13.**—(1) To represent the stock subscribed and to assist generally in the conduct of the business of the association, two directors shall be appointed by a municipal corporation subscribing, or if more than one municipal corporation is subscribing, one director shall be appointed by each corporation and in every case two directors shall be appointed by the Lieutenant-Governor in Council.

Directors' term of office.

(2) Directors named under this section shall serve for a period of two years or until their successors are appointed.

Transfer of shares to have approval of board.

**14.** Shares owned by members may be transferred to other members or purchased by the association only with the approval of the board of directors.

When moneys to be invested by secretary-treasurer.

**15.**—(1) The secretary-treasurer shall be responsible for all moneys or securities realized by the sale of capital stock and such moneys or securities shall, where not needed for liabilities, be invested in bonds or debentures of or guaranteed by a government or municipality, as may be ordered by the directors with the approval of the board.

Secretary-treasurer to give security.

(2) The secretary-treasurer shall give such security for the due performance of the duties of his office and for the safe custody of the moneys coming to his hands as may be prescribed by the regulations, and he shall at all times keep all moneys and securities in his hands separate from his own moneys and shall deposit the same in a chartered bank to the credit of the association.

### *Organization.*

**16.** When capital stock has been arranged for as pre-Organization of association. scribed, the secretary-treasurer shall call a meeting of the members and the directors named by the subscribing municipality and the Province and such meeting shall select the proposed corporate name, to wit "Farm Loans Association of (insert name)," and shall complete the organization of the association.

**17.** The subscribing members shall, at such meeting, from Officers. among themselves elect a president, vice-president and one director who, with the directors named by the municipality and the Province shall constitute the board of directors, The president, vice-president and director shall hold office for one year or until their successors are elected.

**18.—**(1) The secretary-treasurer, immediately after the Application for certificate of incorporation. holding of the meeting, shall advise the Board that organization has been completed and shall give the names of officers and directors and make application for a certificate of incorporation.

(2) Upon receipt of such application the Board may Association, when to be deemed incorporated. issue a certificate of incorporation to the association in the name approved and thereupon the association shall be a body corporate and shall for all purposes be deemed to be duly incorporated and may carry on business and exercise all the powers conferred upon it by this Act.

(3) Upon a vacancy occurring among the directors, such Vacancy in directorate. vacancy shall be filled by the body appointing the director whose seat has become vacant.

(4) Two of the directors elected by the members and Quorum. three of the directors appointed by the municipality and the Government shall constitute a quorum of the directors of the association.

**19.** The board of directors shall be responsible for carry-Appointment of secretary-treasurer. ing on the business of the association, shall appoint a secretary-treasurer, who may or may not be a member, and shall have power to fix the duties of all officers and subject to the regulations make rules governing procedure at all meetings of the directors or the association and the conduct of the association generally.

**20.** No officer or director, except the secretary, shall be Officers and directors to be paid only for disbursements. paid any salary or fee by the association, other than actual disbursements necessarily made in attending to the business of the association and approved by the directors.

Annual  
meeting.

**21.** An annual meeting of the association shall be held once in every year, between the first day of January and the first day of March, of which due notice shall be given by the secretary by letters addressed to each subscriber and director. At such meeting reports shall be presented by the officers showing fully the business done by the association during the last calendar year.

Additional  
members,  
when  
admitted.

**22.** After the incorporation of an association additional members may be admitted with the approval of the directors and under such conditions as the directors may prescribe.

### *Objects.*

Objects.

**23.** The object of an association incorporated under this Act shall be to promote individual prosperity and agricultural development by securing for members short-term loans for current expenditures.

Where  
association  
desires  
credit.

**24.** When an association desires to secure credit for its members the secretary shall advise the board, who shall inform the association as to the facilities available and the steps to be taken in furtherance of the provisions of this Act.

### *Short-Term Loans.*

Short term  
loans may  
be made,  
for what  
purposes.

**25.**—(1) Any member of an association shall be entitled to apply for a short-term loan for any one or more of the following purposes:—

- (a) Purchase of seed, feed, fertilizer and other supplies;
- (b) Purchase of implements and machinery;
- (c) Purchase of cattle, horses, sheep, pigs and poultry;
- (d) Payment of cost of carrying on any farming, ranching, dairying or other agricultural operations;
- (e) Payment of the cost of preparing land for cultivation;
- (f) Fire or life insurance where required, in the opinion of the directors, as collateral security for a loan made for any of the above-mentioned purposes.

Limit of  
amount  
of loan.

(2) No loan to any member shall exceed in amount \$1,000 but an additional loan or loans may be made to a member of an association provided that the total amount of indebtedness outstanding on account of any member shall not at any time exceed \$1,000.

*Application*

*Application for Loan.*

**26.** Any member of an association desiring a loan shall sign an application in the form prescribed, stating the amount required and the purpose for which it is to be used, and agreeing to repay the said loan at a date therein to be named, which shall not be later than the thirty-first day of December next thereafter, together with interest at the rates fixed in accordance with the terms of this Act. Application for loan, what to include.

**27.** All such applications shall be delivered to the secretary and shall be by him presented to the directors at the next following meeting, and the directors shall determine whether any such application shall be approved, and may approve the same in part or on such terms as they may deem proper, and may demand such security from the applicant as they may think necessary. In the event of the application being approved in part only or being varied, a new application shall be signed by the applicant in accordance with the approval and the former application cancelled. Approval of directors.

**28.** When an application has been finally approved by the directors, such approval shall be certified on the application in the form prescribed and shall be signed by the secretary and by the president or vice-president, and a record of all applications approved shall be entered in the minutes of the association. One duplicate or copy thereof shall be delivered to the applicant and another duplicate or copy retained by the association. In the event of the absence from any cause of any such officers the directors may by resolution authorize any other officer to sign the approval in his stead. Form of approval.

**29.** Whenever an application has been duly made and approved, the secretary shall deliver the original thereof to such bank or person as the directors shall have authorized, and shall settle the times and conditions at and upon which the amount shall be advanced, and, upon the same being agreed to by the lender, shall advise the applicant and shall enter a record thereof in the books of the association. Original copy of application with approval to be delivered to bank or person authorized by directors.

**30.** Before any moneys are advanced in pursuance of an approved application, the lender or association may require the borrower to sign a note or notes for the amount of the moneys to be advanced, and the association shall endorse such note or notes, but the terms of such notes shall not vary in any way from the terms of the approved application or from the provisions of this Act. The secretary is hereby authorized to endorse such notes on behalf of the association. Note may be required.

Interest.

**31.** The rate of interest payable by a borrower on a loan guaranteed by an association shall not exceed seven per cent. per annum, and out of the interest paid one-seventh shall be paid to the Association for the purposes hereinafter mentioned, which share of interest shall be paid by the lender to the association as soon as the loan and all interest thereon has been received by him and the security given to the lender shall not be surrendered until all such interest charges have been paid.

Renewal.

**32.** In the event of a borrower not being able to repay the amount of his loan on or before the thirty-first day of December for reasons which appear to the directors to be justifiable or on account of the loan having been granted for purposes not productive within one year, the directors may, on the application of the borrower, authorize a renewal of any portion of the said loan until such further time as may be agreed, but not later than one year next after the maturity of the previous loan. The application for such renewal loan shall be in the same form as for any original loan, except that it shall be stamped with the word "Renewal," and shall be kept distinct from any new application made by the same borrower, but in all other respects the provisions of this Act relating to applications and the endorsements thereof, and the rights and liabilities arising thereunder, shall be applicable to such renewals.

Failure of  
borrower  
to make  
payments.

**33.** In the event of a borrower failing to pay the amount of his loan, or renew the same within one month from the due date, the lender may demand payment of the amount owing, with interest thereon to date of payment, and the association shall within fifteen days from the receipt of such demand provide for the payment of such amount. If on the expiry of the fifteen days payment has not been made to the lender the balance unpaid on the subscriptions of the several members, the municipal corporation and the Government of Ontario shall forthwith become due and payable, and the liability of the municipal corporation and of the Government respectively to make payment thereof to the amount of such demand shall not be contingent upon payment by the members or any of them. Upon payment the lender shall deliver to the association all securities held by him for the said loan or any part thereof, and the association shall be entitled to recover the amount so paid from the borrower by any means authorized by this Act or by any other statute or law applicable thereto.

Monthly  
return.

**34.** Every lender from whom loans are obtained by any association under this Act shall forward to the Board a monthly return showing each loan made by it under the Act,  
and

and the amount advanced at the date of such return and also showing all loans, if any, then past due.

### *Security.*

**35.** All animals, machinery, goods or personal property of any kind purchased or partly purchased with the proceeds of a loan obtained under this Act, or for the purchase of which a loan has been granted, together with the offspring of such animals and the crops or other products grown upon any lands for the working of which such loan has been made or used, shall be subject to a lien for the amount of the loan in favour of the association approving without any further writing or act by the borrower, and none of the said property shall be removed from the premises of the borrower or beyond the limits of the district in which the association is authorized to carry on business, during the currency of such loan, without the consent of the secretary, except for the purpose of sale. All proceeds of the sale of any of the said property shall without delay be paid to the lender on account of the said loan.

**36.** The directors may, before granting any application, require such further security as they may think necessary, and upon such terms and conditions as they may approve of. The directors are hereby authorized to take in the name of the association any form of security and to exercise all rights thereunder, and may assign such security, with all rights appertaining thereto, to the lender. The powers of the directors as to taking security in the name of the association shall extend to and include the power to take, by way of additional security, mortgages on real or personal property or assignments of agreements of sale thereof, and to exercise all rights conferred by such securities.

**37.**—(1) The association shall have a lien or charge on all the personal property of the borrower for securing payment of any such loan, upon filing a certificate of the secretary of the association in the office of the clerk of the county or district court of the county or district in which is situated the land upon which the borrower carries on the operations for which the loan was made to him, showing the amount of the loan and the name and address of the borrower.

(2) The certificate shall be registered within five days from the date thereof and shall have effect only from the date of registration.

(3) The registration in the same office of a subsequent certificate signed by the secretary of the association, showing

Goods purchased to be subject to lien.

Additional security.

When association may have lien on personal property of borrower.

Registration of certificate.

Discharge of lien.

ing

ing repayment of such loan, shall operate as a discharge of such lien.

No charge for registration of certificate and discharge.

(4) The clerk of the county or district court shall register said certificate and discharge without the payment of any fee therefor.

Right of entry of bank or person making loan.

**38.** The bank or person making a loan, or a representative, and the association endorsing a loan, or any officer or director thereof, shall have the right at any time during the currency of the loan to enter on the premises of the borrower and enquire into the manner in which the borrower is carrying on such farming or other operations as are required for the proper development of the purposes for which the loan was granted, or to ascertain that the terms of the loan are being carried out, or that the security for the loan is in good condition and on the premises of the borrower in the district.

Death, insolvency, or insanity of borrower.

**39.** In the event of the death, insolvency or insanity of the borrower, or of his deserting the premises, or of his failure to carry out the purposes of the loan, the directors of the association, or any three thereof, may apply to any county court judge for an order placing the association, or any person named by it, in possession of all goods, animals or property covered by any security given under this Act, and of any or all other property, real or personal, of the borrower lying within the municipality which may be required for the proper care, use, or preservation of the security, and such judge shall have power, after such notice to the borrower as he may think reasonable, or without notice, to make an order for the purposes aforesaid and to authorize such persons as he may name to carry out the provisions of such order.

Where part of loan remains unpaid, stock, chattels, etc., not to be disposed of except in ordinary course of business.

**40.** No person who has obtained a loan under this Act, any part of which remains unpaid, shall dispose of or attempt to dispose of his stock, chattels or crops otherwise than in the ordinary course of business.

Borrower to be personally liable.

**41.** The borrower shall be personally liable for the payment of the amount of any loan granted under this Act, or any balance thereof, and for all interest charges and costs of collection thereof.

Misapplication of funds not to affect security.

**42.** It shall not be incumbent on any person or bank making a loan under this Act to see to the due application of the moneys loaned, and the mis-application or non-application of such moneys shall not affect the security for the loan.

Directors qualified to act as qualification committee.

**43.** The directors of an association shall be qualified to act as a qualification committee under *The Agricultural Development*

*Development Act*, and members of an association may make application through the secretary for a long-term loan under *The Agricultural Development Act*.

**44.** The board shall have general supervision of all associations incorporated hereunder, and all books and records of any association shall be open at all times to inspection and audit by the board or such other person as may be named by the Lieutenant-Governor in Council. Books and records to be open to inspection.

**45.** The moneys received by an association from the share of interest received by it shall be applied:— Application of moneys.

- (a) In payment of the necessary expenses of the association;
- (b) In payment of a dividend on the paid-up stock of not more than six per cent. per annum;
- (c) In accumulating a reserve which may, in the discretion of the directors, be invested in the same manner as the capital stock; in the event of the dissolution of any association, any accumulated reserve shall be divided amongst the subscribers in proportion to the amount of the capital stock respectively held by them.

**46.** Any person dealing with a borrower or a person believed to be a borrower from any association, and proposing to sell goods on credit or to lend money or make advances to such person, may apply to the secretary of the association for information as to the advances which have been made or authorized to such person and the purposes thereof, and the secretary, on being satisfied of the *bona fides* of such request, shall furnish any information shown on the records of the association at the date of such request. Application to secretary for information regarding a borrower.

**47.** The directors shall hold one or more meetings in each of the months of March and April, in every year, for the consideration of applications for loans, and shall hold such further meetings as may be required from time to time on the call of the president or on the written request of any three members of the board delivered to the secretary. The directors shall also hold one or more meetings in the month of January, in each year, for the consideration of loans, if any, on which the full amount has not been paid prior to the thirty-first day of December preceding. Meetings.

**48.** The Lieutenant-Governor in Council may make regulations for the better carrying out of this Act, and such regulations shall have the same force and effect as this Act. Regulations.

*Securing*

*Securing Capital for Associations.*

Provincial  
Treasurer  
may loan  
money to  
associations.

**49.** The Treasurer of Ontario may, with the approval of the Lieutenant-Governor in Council, lend money to any such association for the purpose of assisting it to carry on its business on such terms as to interest, repayment and security as may be agreed upon.

Agreements  
of Minister  
with banks,  
etc., to  
secure  
money.

**50.** The Minister of Agriculture may, with the approval of the Lieutenant-Governor in Council, enter into agreements and guarantees with banks, loan companies or other corporations for securing moneys for the purposes of associations incorporated under this Act, and may make provision for such rates of interest and conditions of repayment as may seem proper.

Commence-  
ment of Act.

**51.** This Act shall come into force on the day upon which it shall receive the Assent of the Lieutenant-Governor.

## CHAPTER 34.

## An Act to amend The Burlington Beach Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 5 of section 10 of *The Burlington Beach Act* Rev. Stat., c. 53, s. 10, subs. 5, amended. is amended by striking out the words “or company” in the eighth line thereof and inserting in lieu thereof “company or municipal corporation” and by adding at the end of the said subsection the following words: “The Corporation of Contracts for works or improvements. the City of Hamilton may pass by-laws for entering into contracts for the supplying of water, light, heat, or power to the Burlington Beach or the residents therein, and for Contract with City of Hamilton for public utilities. doing all things necessary for the carrying out of such purposes, upon such terms as may be satisfactory to the council of the said Corporation of the City of Hamilton.”

**2.** Section 10 of *The Burlington Beach Act* is amended Rev. Stat., c. 53, s. 10, amended. by adding thereto the following subsection:—

- (7) The commission is further invested with all necessary powers enabling them to construct and Powers as to water-works; connections with city. maintain a main or mains and all necessary works connecting the Beach pump-house of the Corporation of the City of Hamilton with the distributing mains of the Burlington Beach Commission, and for this purpose to enter and go over and upon the intermediate grounds and lands, and the same to cut and dig up if necessary and to lay down the said pipes and mains through the same and upon, over, under and through the highways, railroads and roads of and in the townships of the County of Wentworth necessary for such purpose, and in, upon, through or under the lands, grounds and premises of any person or persons, bodies corporate, politic or collegiate whatsoever, and to set

set out for the aforesaid use and occupancy, such part or parts thereof as they the said commissioners shall think necessary and proper, and for the making and maintaining of the said works or for taking up, moving, altering or repairing the same, and for further distributing water to the inhabitants of Burlington Beach, or for the uses of the Burlington Beach Commission, and for this purpose to sink and lay down mains, pipes, conveniences and other works, and from time to time to alter all or any of the said works, as well in the position as in the construction thereof, as to the said commissioners or their successors shall seem meet, doing as little damage as may be in the execution of the powers hereby granted to them, and making reasonable and adequate satisfaction to the proprietors.

Rev. Stat.,  
c. 53, s. 11,  
subs. 1,  
amended.

Borrowing  
for  
waterworks  
purposes.

**3.** Subsection 1 of section 11 of *The Burlington Beach Act* is amended by adding at the end thereof the following words: "and may raise by loan a further sum in an amount to be approved by the Minister of Lands and Forests for the purpose of constructing, building, purchasing, improving, extending, holding, maintaining, managing and conducting waterworks and all buildings, materials, machinery and appurtenances thereto belonging and other permanent works for the proposed waterworks system of the commission."

Rev. Stat.,  
c. 53, s. 19,  
subs. 2,  
repealed.

**4.** Subsection 2 of section 19 of *The Burlington Beach Act* is repealed.

## CHAPTER 35.

## An Act respecting Long Point Park.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Long Point Park Act*, <sup>Short title.</sup>  
1921.

**2.**—(1) The Lieutenant-Governor in Council may <sup>Board of</sup> appoint a board of commissioners composed of three persons, <sup>Com-</sup>missioners, which board shall be a body corporate by the name of “The Long Point Park Commission.”

(2) The members of the board shall hold office during <sup>Tenure</sup> pleasure of the Lieutenant-Governor in Council. <sup>of office.</sup>

(3) The commissioners shall receive such compensation <sup>Compensa-</sup> as shall be fixed by order of the Lieutenant-Governor in Council. <sup>tion.</sup>

(4) The commissioners shall, at the first meeting of the <sup>Chairman</sup> commission in each year, elect one of their members as chair- <sup>and</sup> man, and shall appoint a secretary, who, for the purposes of this Act, shall possess all the rights and powers and perform all the duties that pertain respectively to the office of reeve and clerk and treasurer of a village, and with such other rights, powers and duties as from time to time may be prescribed by said board of commissioners.

**3.** The tracts of land, marsh land, and land covered by <sup>Park</sup> water hereinafter mentioned, that is to say: All that parcel <sup>vested</sup> or tract of land and marsh land in the Township of South <sup>in Com-</sup> Walsingham bounded on the south by the waters of Lake <sup>mission.</sup> Erie, on the north by the waters of Inner Long Point Bay, on the east by the lands now owned by the Long Point Com-

pany.

pany, and on the west by the lands now owned by the Toronto Big Creek Shooting Company, containing an area of four hundred and twenty acres, more or less, together with all unpatented portions of the marsh and other lands lying in front of lots numbers 14 to 24, both inclusive, and in front of the road allowance between lots numbers 18 and 19, in the broken front concession of the Township of South Walsingham, together with the land covered by the waters of Inner Long Point Bay lying south of a line drawn east astronomically from the centre of the mouth of the present outlet of Big Creek, formerly known as the Port Rowan ship canal, to the point of intersection of said line with a line drawn north astronomically from the most westerly point of block "C" of the lands of the Long Point Company, including any islands lying within that area, is hereby vested and set apart as a park, forest reservation and health resort for the benefit, advantage, and enjoyment of the people of Ontario, and shall be known as "The Long Point Park."

Board to enquire into present leases and contracts.

4. It shall be the duty of the commission, and it shall have power, to inquire into and ascertain the facts concerning all leases, and all other contracts or agreements, to, or with persons, in reference to any of the lands in the Long Point Park, the names of the persons holding the same, the amounts of rents reserved or other payments provided for in the same, the terms and conditions under which such agreements or leases are made, and also other particulars in connection with the same.

Collection of arrears of rent.

5. The commission shall have power to demand, collect and receive from any person in occupation or use of the lands in the Long Point Park under any present or future lease, contract or agreement, any money due or unpaid, for rent, or otherwise in respect thereof.

Powers of Commission.

6. Subject to any direction of the Lieutenant-Governor in Council, the commission shall have power—

- (a) To lease, purchase, or otherwise acquire, and to construct and operate boats, vessels, motor cars and other means of transportation to be used in connection with the Long Point Park;
- (b) To pull down all houses or other erections, or buildings on said lands, or such of them, or such part of them, as the commission may think proper to be pulled down, and to sell, or otherwise dispose of, or make use of, the material of the houses and other erections and buildings thus taken down and removed, or otherwise disposed of, or made use of;

(c)

- (c) To erect wharves, houses, and other erections, buildings and structures on said lands, and the same and all other wharves, houses and other erections, buildings and structures, with their appurtenances, which now are or hereafter may be upon said lands, to lease or sublet to applicants therefor;
- (d) To lay out, build, improve, develop and enclose the park in such manner as it thinks fit;
- (e) To demand, collect and receive tolls, rents, taxes, or other charges or money for the use of lands, buildings, erections, structures, appliances, vessels, means of transportation, or works made, built or used, in, or in connection with, the operation of the Long Point Park, as well as for services rendered or to be rendered for the convenience or accommodation of visitors, and to expend so much of the money received therefrom as may in the opinion of the commission be necessary or expedient in beautifying or otherwise improving the same as a park and place of public resort, and for all other purposes authorized by this Act, and, whenever required by an order of the Lieutenant-Governor in Council so to do, to remit to the Treasurer of Ontario any surplus remaining in the hands of said commission.

7. The commission may appoint one or more constables, Constables. who shall have the same powers and perform the same duties in the Long Point Park as the constables appointed by the council of a village.

8.—(1) The Commission shall have all the powers conferred by *The Municipal Act* on the Board of Commissioners of Police in a city having a population of not less than 100,000. Powers of Commission.

(2) The Commission may make regulations and pass by-laws for fixing the sums to be paid for licenses required under the by-laws passed under subsection 1. Regulations and by-laws.

(3) After the passing of any such by-law no general by-law of the Township of South Walsingham for any of the purposes provided by such by-law shall apply. Effect of by-laws of Commission.

9. The Commission may also make regulations and pass by-laws for protection from fire, and for providing such fire appliances as it may deem necessary for the protection of life and property within the limits of the Long Point Park. Protection from fire.

Sidewalks,  
roads,  
culverts,  
drains, etc.

**10.** The commission may also make regulations and pass by-laws for letting contracts, or employing labour, or purchasing material for making roads, buildings, sidewalks and culverts, putting in drains, planting trees, and otherwise improving and beautifying the Long Point Park as a park and place of public resort, and doing all things necessary for such purposes, and the commission may pass by-laws for entering into, and may enter into, contracts for the supply of water, light or heat by any person or company to the Long Point Park or the residents therein, and doing all things necessary for such purposes within the limits of the Long Point Park.

Other  
regulations.

Park to be  
open to  
public.

**11.** The commission may also make such other regulations and pass such by-laws for the proper government of the Long Point Park as may be approved by the Lieutenant-Governor in Council, and, subject to such regulations and by-laws, said park shall be open to the public.

Application  
of Rev.  
Stat., c. 204.

**12.** The provisions of *The Public Utilities Act*, except where inconsistent with the provisions of this Act, shall apply to the commission.

Authentica-  
tion of  
by-laws.

**13.** By-laws passed by the commission shall be authenticated by the signature of the chairman and secretary and the seal of the corporation, and a copy of any such by-law so authenticated shall have the same force and effect as a copy of a municipal by-law duly certified in the manner provided by *The Municipal Act*.

Penalties  
for viola-  
tion of  
by-laws.

**14.—(1)** The commission may in any by-law provide that anyone contravening the by-laws shall incur a penalty not exceeding \$100 or be liable to imprisonment for a term not exceeding sixty days, and such penalty may be enforced by any justice of the peace having jurisdiction within the County of Norfolk.

Application  
of Rev.  
Stat., c. 90.

**(2)** *The Ontario Summary Convictions Act* shall apply to every such prosecution under any such by-law.

Application  
of license  
fees and  
penalties.

**15.** All sums collected for license fees or for penalties for offences against any by-law passed by the commission shall be paid over to the commission.

Repair and  
maintenance  
of  
highways.

**16.** It shall be the duty of the commission to keep the highways in the Long Point Park in proper repair.

Power to  
borrow to  
amount of  
\$25,000.

**17.—(1)** The commission may raise by loan the sum of \$25,000 for the purpose of constructing, building, leasing, purchasing, improving, extending, holding, maintaining, managing

managing and conducting waterworks and all buildings, material, machinery and appurtenances thereto belonging, and other permanent works for a waterworks system of the commission, and for enlarging and improving the Long Point Park, and for all other purposes and objects intended to be secured by this Act.

(2) The commission may pass by-laws for contracting debts for any of such purposes by borrowing money, and for issuing debentures therefor, and it shall not be necessary to levy any special rate therefor. <sup>By-laws for borrowing.</sup>

(3) The whole debt and the debentures to be issued therefor shall be made payable in thirty years at furthest from the time or times when the debentures are issued. <sup>Term of debt.</sup>

(4) The amount falling due for principal and interest in each year on account of such debentures shall be payable out of the general revenues of the commission. <sup>Provision for payment.</sup>

(5) The holder of every debenture or other obligation issued under the authority of this Act shall have a preferential charge or lien on the revenues of the commission, and the commission shall pay such debts in priority to all other debts. <sup>Security of debenture holders.</sup>

**18.** No by-law or regulation, and no tariff of tolls, rents or other charges or payment to the commission for the use of works, vessels, or of services, shall be acted upon or effective until approved of by the Lieutenant-Governor in Council. <sup>Approval of by-laws, etc.</sup>

**19.** The commission may provide for the assessment of all lands situate within the Long Point Park, and, as to said assessment, and for the collection of all moneys due from the owners or occupants of such land, shall perform and possess all the duties and powers provided for by *The Assessment Act* and *The Ontario Voters' Lists Act* in the case of clerks, assessors and collectors in townships; and may expend money so collected for the purposes hereinbefore set forth, and for such other purposes as may from time to time be approved by the Lieutenant-Governor in Council. <sup>Assessment and taxation. Rev. Stat., c. 195. Rev. Stat., c. 6.</sup>

**20.** The commission shall have power to employ such officers, workmen and other persons as may be deemed necessary for the purposes of this Act, the salaries, wages or other compensation of such officers, workmen and other persons shall be payable out of the funds of the commission. <sup>Employment of officers, workmen, etc.</sup>

**21.**—(1) The commission shall cause books to be provided and true and accurate accounts to be entered therein of all sums of money received and paid out and of the several purposes for which the same were received and paid out; <sup>Books and accounts.</sup>

and

and such books shall be at all times open to the inspection of the Treasurer of Ontario, and of any person appointed by him or by the Lieutenant-Governor in Council, or by a majority of the ratepayers in the Long Point Park, for such purposes, and any such person may take copies or extracts from such books.

Application  
of Rev.  
Stat., c. 23,  
ss. 11, 31, 34.

(2) Sections 11, 31 and 34 of *The Audit Act* shall apply to the accounts of the commissioners in respect of receipts and expenditures.

Annual  
report.

**22.** On or before the 1st day of December in each year the commission shall report to the Lieutenant-Governor in Council the receipts and expenditures of the year and such other matters as may appear to it to be of public interest in relation to the government of the Long Point Park, or to anything arising out of this Act and shall in all cases supply to the Lieutenant-Governor in Council such information relating thereto as he may direct.

Actions  
against  
Commis-  
sioners.

**23.** Without the authority of the Lieutenant-Governor in Council no action shall be brought against the commissioners personally for anything done or omitted to be done under this Act.

Separation  
from  
South Wal-  
singham.

**24.** For municipal or school purposes the Long Point Park shall be deemed to be separated from and shall not form part of the Township of South Walsingham or of the County of Norfolk, and shall cease to be subject to the jurisdiction thereof except for judicial purposes.

Municipali-  
ties relieved  
as to  
liability for  
non-repair  
of  
highways.

**25.** No action shall be maintainable against the corporation of the County of Norfolk or the corporation of the Township of South Walsingham by reason of the non-repair of the highways, streets, sidewalks or bridges in the Long Point Park, or by reason of any misfeasance or nonfeasance in relation to them.

Elections to  
Legislative  
Assembly.

**26.** For purposes of election to the Legislative Assembly the Long Point Park shall be and remain a portion of the Township of South Walsingham, and all persons in the Long Point Park possessing the necessary qualifications shall be entitled to be placed on the voters' lists of that township; and for such purposes the commission shall, annually, before the 15th day of July, prepare and furnish to the clerk of said township a list of persons so qualified and, for the information of the clerk of said township, shall furnish all particulars required in preparing the lists under *The Ontario Voters' Lists Act*.

Voters'  
lists.

Rev. Stat.  
c. 6.

**27.** For all judicial purposes the Long Point Park shall be and remain a portion of the County of Norfolk. <sup>Judicial purposes.</sup>

**28.** The commission may make regulations as to the shooting, hunting, taking, or killing in the Long Point Park, and on the waters of Lake Erie adjacent to the said park on the southerly side thereof extending into said lake a distance of 10 chains from shore, and within all that portion of Inner Long Point Bay lying to the west of block "C" of the lands of the Long Point Company, and of a line drawn northerly from the most westerly point of said block "C" to the point in which the centre line of the town line road allowance between South Walsingham and Charlotteville Townships intersects the northerly shore of the said bay, of any bird or animal protected by the provisions of *The Provincial Parks Act*. <sup>Regulations as to game, etc.</sup> <sup>Rev. Stat., c. 52.</sup>

**29.** Nothing in this Act contained shall be deemed to confer upon the said commission any power to interfere with the right of the owners of property of The Long Point Company or the Toronto Big Creek Shooting Club, Limited. <sup>Rights of certain clubs preserved.</sup>

## CHAPTER 36.

## An Act to incorporate the Town of Kapuskasing.

*Assented to April 8th, 1921.*

Preamble.

**W**HEREAS, pursuant to certain agreements between the Government and Spruce Falls Company, Limited, the company is engaged at Kapuskasing, in the Township of O'Brien, in the District of Temiskaming, and also in certain portions of the District of Algoma, in certain extensive operations concerning the manufacture of pulpwood, and has in course of erection extensive plants for the development of water powers in the Kapuskasing River and for the production of pulp, and is to erect a plant for the production of paper and already has in its employ a large number of men in connection therewith, which will be largely augmented as rapidly as the work can be proceeded with; and whereas housing and other accommodation is urgently required for the purposes aforesaid in the immediate neighbourhood of Kapuskasing, at the junction of said river with the main line of the Canadian National Transcontinental Railway; and whereas the Government is desirous of having a town erected, planned and developed on model lines for the above purposes, and it has been agreed that the lands and premises hereafter described shall be utilized for the site of the said town, on the terms and conditions set forth in a certain proposed agreement, hereinafter more particularly referred to and set forth, and it is expedient that said town be erected and said agreement be entered into;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation as town.

1. The inhabitants of the land described in section 2 are hereby constituted a corporation or body politic, under the name of "The Corporation of the Town of Kapuskasing."

Lands included in town.

2. The said Town of Kapuskasing shall comprise and consist of all those parts of the said Township of O'Brien described as follows, and being composed of the following lots

lots and parts of lots therein, that is to say: In concession 12, lots 18, 19 and 20 and those portions of lots 23 and 24 lying north of the Kapuskasing River; in concession 13, lots 18, 19, 20, 23 and 24, and that part of lot 21 lying north of the right of way of the Canadian National Transcontinental Railway; in concession 14, lots 18, 19, 20, 21, 22, 23, 24 and 25; in concession 15, lots 18, 19, 20, 21, 22, 23 and 24.

**3.**—(1) The council of the said town shall consist of a <sup>Council—</sup> mayor and six councillors. Douglas Watson Smith shall be <sup>how com-</sup> the first mayor, and W. G. McNaughton, E. W. Hardman, <sup>posed.</sup> J. Albert Stewart, W. W. Mills, Smith Ballantyne and A. M. Reid shall be the first councillors of the said town.

(2) The said mayor and the said councillors shall hold <sup>Term of</sup> office for the remainder of the year 1921 and until their <sup>office.</sup> successors are elected and have taken the declaration of office.

(3) In case a vacancy occurs from any cause prior to the <sup>In case of</sup> 31st day of December, 1921, in the office of mayor or coun- <sup>vacancy.</sup> cillor, the council shall forthwith appoint a person to fill the vacancy, and he shall hold office for the remainder of the term for which his predecessor was appointed.

**4.** The land comprised in the said town is hereby de- <sup>Town to</sup> tached from the township of O'Brien, and the town shall <sup>form in-</sup> form a separate and independent municipality. <sup>dependent</sup> <sup>municipality</sup>

**5.** The council of the said Town of Kapuskasing may <sup>Assessment</sup> pass a by-law for taking the assessment of the said town for <sup>for 1921.</sup> the year 1921, between the 1st day of July and the 1st day of September, 1921, and if any such by-law extends the time for making and completing the assessment rolls beyond the 1st day of October, 1921, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the district judge four weeks from that day.

**6.**—(1) The said Town of Kapuskasing shall remain a <sup>Town to</sup> part of the existing rural school section for school purposes, <sup>remain</sup> and that part of such school section which lies outside the <sup>part of</sup> said town shall nevertheless, for public school purposes, be <sup>rural school</sup> deemed to be annexed to the said town, and the officers of <sup>section.</sup> the said town shall make all assessments and collect all taxes and do all such other acts and perform all such duties and be subject to the same liabilities with respect to that part of such section which lies within the unorganized Township of O'Brien as with respect to that part which lies within the said town, and the said taxes shall be paid by the col-  
lector

lector to the treasurer of the said town, and the treasurer shall pay over such taxes to the treasurer of the public school board of such section without any charge or deduction.

Power to  
pass by-law  
for estab-  
lishment  
of urban  
school  
board.

(2) The said town shall not be separated from the existing school section until such time as a by-law in that behalf has been passed by the council thereof, and approved by the Minister of Education, for the establishment of an urban school board for school purposes under the provisions of *The Public Schools Act* in that behalf.

Lands,  
how  
acquired.

7. For the purpose of acquiring the lands referred to in clause 12 of the proposed agreement, set forth in Schedule "A" hereto, all the provisions of *The Municipal Act* applicable to the acquisition of land by a municipal corporation shall *mutatis mutandis* apply.

Municipal  
Act applic-  
able, to  
what  
extent.

8. Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

Authoriza-  
tion for  
agreement.

9. The Honourable Ernest Charles Drury, Prime Minister of Ontario, acting therein on behalf of His Majesty the King, is hereby authorized and empowered to enter into the agreement with the company set out as Schedule "A" hereto, and such agreement, when executed by the parties thereto, shall be legal, valid and binding according to the tenor and effect thereof.

Authority  
of town  
to issue  
debentures,  
under  
what cir-  
cumstances.

10. In the event of the Government advancing funds for the purchase of land and the construction of houses thereon to the extent of not more than \$400,000, and for waterworks, sewerage, local improvements, or other municipal works to the extent of not more than \$100,000, as provided for in said agreement, it shall be the duty of the council of the said town, without obtaining the assent of the electors, to issue debentures for amounts respectively to cover the amount of such advances, together with interest on the same, and to deliver such debentures forthwith to the Treasurer of Ontario.

Application  
of 1929,  
c. 83, s. 2.

11. The provisions of section 2 of 10-11 George V, chapter 83, shall not apply to any money borrowed by the corporation of the Town of Kapuskasing from the Province of Ontario for the purposes of *The Ontario Housing Act, 1919*.

Commence-  
ment of  
Act.

12. This Act shall come into force and take effect on the day on which it receives the Royal Assent.

SCHEDULE

## SCHEDULE "A."

Memorandum of Agreement made and entered into, in duplicate,  
the day of A.D. 1921.

Between

His Majesty King George the Fifth, represented herein by the  
Honourable Ernest Charles Drury, Prime Minister of Ontario,  
hereinafter called "The Government," of the one part;

and

Spruce Falls Company, Limited, hereinafter called "the Com-  
pany," of the other part.

Whereas the Company is engaged at Kapuskasing, in the Dis-  
trict of Temiskaming, in extensive operations concerning the manu-  
facture of pulpwood pursuant to certain agreements with the Gov-  
ernment;

And whereas it is essential that housing and other accommoda-  
tion should be provided in the immediate neighbourhood of Kapus-  
kasing for persons in the employ of the Company in said industry,  
and others who may become residents there, and the Government  
is desirous of creating a town and having same planned and de-  
veloped on model lines, and it has been agreed between the parties  
that the following lots and parts of lots in the Township of O'Brien,  
in the District of Temiskaming aforesaid, namely, Lots 18, 19 and  
20, and those portions of Lots 23 and 24 lying north of the Kapus-  
kasing River, in the 12th Concession; Lots 18, 19, 20, 23 and 24,  
and that part of Lot 21 lying north of the Canadian National Trans-  
continental Railway, in the 13th Concession; Lots 18, 19, 20, 21, 22,  
23, 24 and 25, in the 14th Concession; and Lots 18, 19, 20, 21, 22,  
23 and 24, in the 15th Concession; or some part thereof will be  
utilized for the site of the said town;

And whereas an agreement has been entered into between the  
parties hereto in reference to the subjects herein referred to on  
the following terms and conditions;

Witnesseth that in consideration of the premises and of the  
mutual covenants and agreements herein contained, and of the sum  
of one dollar in hand paid by each of the parties hereto to the  
other (the receipt whereof is hereby acknowledged), the parties  
hereto covenant and agree with each other as follows:—

1. The Government will forthwith proceed to have such part of  
the said lands which are to comprise the said townsite surveyed  
and laid out as soon as possible as a model town, making all neces-  
sary provision for streets, public buildings, parks, squares, open  
spaces, and necessary municipal works.

2. The Government will cause a plan of said townsite to be  
registered pursuant to *The Registry Act* or *Land Titles Act*, as  
the case may be, and reserve all lands therein contained for the  
purposes designated on such plan, and will enter into agreements  
for sale to the Housing Commission to be formed in said munici-  
pality, pursuant to *The Ontario Housing Act, 1919*, of such lots  
as may be agreed upon between the said Housing Commission and  
the Government, at prices which, on the average, will not exceed  
one hundred dollars per lot.

3. The Government will, under and pursuant to the provisions  
of *The Ontario Housing Act, 1919*, advance to the municipal cor-  
poration of the Town of Kapuskasing, or to the said Housing Com-  
mission, an amount of not more than \$400,000 for the purchase  
of land and the construction of houses thereon; and will also

guarantee

guarantee bonds or debentures of the municipal corporation issued for waterworks, sewerage, local improvements, or other municipal works to the extent of not more than one hundred thousand dollars, but no such waterworks, sewerage, local improvements or other municipal works shall be commenced until they shall have first been approved by the Government and by the Company. The Government will from time to time, so far as regards such waterworks, sewerage, local improvements or other municipal works, advance upon progress estimates to be issued by said municipal corporation, and approved by the Director of Housing, the necessary money to pay such progress estimates.

4. The bonds or debentures of the municipal corporation which shall be issued to provide funds for such waterworks, sewerage, local improvements or other municipal works may be sold by the Government, who may, out of the proceeds thereof, reimburse itself for advances made on progress estimates as herein provided for, together with the interest on such advances from the time that same were made.

5. The Company, during the time the moneys hereinbefore mentioned are in course of being expended, will supply all necessary timber, lumber and other materials in which it deals to the Housing Commission, or to the municipal corporation, at wholesale prices, and will in every way co-operate with the Government, the Housing Commission and the said municipal corporation in giving effect to the intent and meaning of this agreement.

6. The Company will furnish electric power to the municipal corporation for house and street lighting and other municipal purposes at cost.

7. The Company may use the houses now on its land for housing purposes, but shall not construct any other permanent houses within the limits of the townsite, or on Lots 21 or 22 in Concession 13, or Lots 21, 22 or 23 in Concession 12, for such purposes without the consent of the Government.

8. In the event of default being made by the municipal corporation in the payment of any monthly instalment or instalments due under the provisions of *The Ontario Housing Act, 1919*, or in the payment of principal or interest on any of its debentures which may have been guaranteed hereunder by the Government, the amount or amounts necessary to be paid to make good such default shall be paid by the Company to the Government on assignment by the Government to the Company of all securities held by the Government therefor, or of such portion thereof as may represent the amount or amounts of such default.

9. The agreement between the parties hereto dated 4th August, 1920, and which is set forth in Schedule "B" hereto, is hereby amended by striking out paragraph 13 thereof, and in lieu of the liability undertaken by the Company in said paragraph 13, the Company agrees to build a high-level bridge across the Kapuskasing River from a point in Lot 23, Concession 14, to a point in Lot 24, Concession 14, in said Township of O'Brien. The said bridge and approaches thereto shall be of the same general character and nature as the existing bridges and approaches referred to in said paragraph 13 of said agreement, and shall be constructed by and at the expense of the Company under and pursuant to plans and specifications approved by the Department of Lands and Forests for the Province of Ontario, and when constructed shall be the property of the Crown.

It is also understood and agreed that the structure and material of the existing bridges referred to in said paragraph 13 of the said agreement shall, when said new high-level bridge and approaches are constructed and opened for traffic, be removed by, and become the property of, the Company.

10. In laying out the townsite the right-of-way for the spur line of railway constructed by the Company, and also for the power transmission line constructed by the Company, are to be duly provided for free of expense to the Company.

11. The Government is to grant a patent to the Company of the ten acres on the west side of the river adjoining the Experimental Farm, being part of Lot 23, in Concession 13, of the Township of O'Brien aforesaid, at the price of one hundred dollars per acre.

12. The Government agrees to purchase or acquire by expropriation all that part of Lot 20, in Concession 13, of the Township of O'Brien, lying north of the right-of-way of the National Transcontinental Railway, and also all of Lot 20, in Concession 14, of the Township of O'Brien, at the expense of the Government.

13. The Company shall be entitled to purchase from the Government such lots in said townsite as it may desire for the erection of an hotel and quarters for staff officers, and also for boarding houses and other buildings which it may desire to erect in the townsite, at a cost not exceeding one hundred and fifty dollars per lot.

14. It is understood and agreed that the Government shall be at the expense (1) of acquiring whatever land may be required for the purposes of said townsite, save and except the lands which the Company now has an option to purchase from the Government within the area of the townsite which are hereby released from such option by the Company to the Government free of cost; (2) of clearing all said land to be laid out as lots on the plan referred to in paragraph 1 hereof, or to be laid out for use as streets, public buildings, squares and necessary municipal works; and also of stumping all said land to be so laid out on said plan as streets or squares; (3) of surveying, planning and laying out said townsite; (4) of registering the plan thereof, and (5) of preparing the plans and specifications of the waterworks, sewerage, local improvements or other municipal works, and of revising the plans and specifications of the houses and boarding houses to be erected on said townsite.

In witness whereof the Honourable the Prime Minister has hereunto set his hand, and the Company has hereunto affixed its corporate seal, testified by the hand of its proper officer thereunto duly authorized.

Signed, sealed and delivered in the  
presence of

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### SCHEDULE "B."

Memorandum of Agreement made and entered into (in duplicate), the Fourth day of August, A.D. 1920.

Between

His Majesty King George the Fifth, represented by the Minister of Lands and Forests of the Province of Ontario, hereinafter referred to as "the Government," of the one part;

and

Spruce Falls Company, Limited, hereinafter referred to as "the Company," of the other part.

Whereas a certain agreement, dated the 9th day of February, A.D. 1918, was made between the Government, of the one part, and Saphrenous A. Mundy, of the City of Bradford, in the State of Pennsylvania, United States of America, Lumberman, and Elihu Stewart

Stewart, of the City of Toronto, in the County of York, Province of Ontario, Forester, hereinafter referred to as "the concessionaires," of the other part, concerning the right to cut pulpwood and pine timber on a certain area situate in the vicinity of the Kapuskasing River, in the Districts of Temiskaming and Algoma, all as therein particularly set forth and described and hereinafter referred to as "the concession";

And whereas by indenture dated the 2nd day of March, 1918, the concessionaires, with the assent and approval of the Government did grant, assign, transfer and set over unto Spruce Falls Pulp and Paper, Limited, all the right, title, claims and demand of the concessionaires in and to the said concession;

And whereas by indenture dated the 6th day of July, 1920, said Spruce Falls Pulp and Paper, Limited, with the assent and approval of the Government, did grant, assign, transfer and set over unto the Company all the right, title, interest, claim and demand of Spruce Falls Pulp and Paper, Limited, in and to the said concession;

And whereas it has been agreed by and between the parties hereto that certain lands and premises in the Township of O'Brien, in the District of Temiskaming, should be added to the concession on the terms and conditions hereinafter set forth and contained, also that the agreement hereinafter expressed should be made by and between the parties hereto in respect of the other subjects herein referred to;

Now, therefore, this agreement witnesseth that, in consideration of the premises and of the covenants and conditions herein contained and of the sum of one dollar (\$1.00), in hand, paid by the Company to the Government (the receipt whereof is hereby acknowledged), the parties hereto covenant and agree with each other as follows; that is to say:

1. The Company hereby admits that the increase of dues made by Order-in-Council by the Government of the Province of Ontario, dated the 15th day of June, 1920, from 75c. per cord upon spruce pulpwood to \$1.15, and from 75c. per cord to 95 cents per cord upon balsam and other classes of pulpwood, is a true interpretation of, and in accordance with, the provisions as to the Crown increasing the dues mentioned in paragraph No. 3 of the agreement between the Government and the Spruce Falls Pulp and Paper, Limited, dated the 11th day of June, A.D. 1920.

The portions of said Township of O'Brien set forth and described in Schedule "A" hereto annexed, shall be deemed to be included in the said agreement of 9th February, 1918, as if originally described therein, except that the dues payable by the Company to the Government in respect of the pulpwood and timber cut thereon shall, for the present, be for spruce cut for pulpwood at the rate of \$1.60 per cord, in lieu of \$1.15 per cord, and for all other woods cut for pulpwood at the rate of \$1.30 per cord, in lieu of 95 cents per cord, which said dues of \$1.60 per cord and \$1.30 per cord, respectively, may be increased as provided by said section 3 of the said agreement, dated the 11th day of June, 1920; and for all spruce and other timbers used or cut by it in the operation of its sawmill the Company shall pay such price per thousand feet, board measure, as shall be determined by the Government, from time to time, having regard to the price prevailing for the particular class of timber throughout the Province, and having regard also to the conditions under which said timber is to be cut and logged. The said board measure shall be ascertained by such method of measurement as may hereafter be decided upon by the Government as a general policy for measurement of logs or mill output throughout the Province.

2. The Company shall proceed with and carry on its operations on all the lands described in this agreement and Schedules "A" and "B" hereto, as part of the first operations of the Company, under and pursuant to the rights contained in said agreement of 9th February, 1918.

3. The Company shall cause all brush created by or resulting from its operations on the lands herein particularly described to be destroyed, as may be directed from time to time by the Government.

4. As regards all the portion of said Township of O'Brien not particularly described herein, or in either of the schedules hereto, or contained in what is known as "the Dominion Government Farm," it is understood that same will be set apart by the Government as a reservation for settlers, and in the event of the Government deciding at any time to sell and dispose of the pulp and other timber thereon to other than settlers, the Government will give, and hereby gives, to the Company the first right or option to purchase same for the most favourable price, and on terms upon which the Government is willing to sell and dispose of same to any other purchaser, which said right and option shall be exercisable by the Company at any time within fifteen days from the receipt by it of notice from the Government of said intention, price and terms.

5. The portions of the said Township of O'Brien set forth and described in Schedule "B" hereto annexed shall be leased by the Government to the Company for the term of five years, from the day of the date hereof, at the annual rental of twenty-five dollars (\$25.00), payable in advance on the first day of August in each and every year during said term, the first of said payments of rent to be made on or before the first day of September, 1920. In default of any payment of said rental, or the performance of any covenants on the part of the Company contained in this agreement, for sixty days after notice thereof in writing by the Government to this Company, and demand for payment or performance thereof, as the case may be, the Minister of Lands and Forests of the Province of Ontario may declare this agreement void, and all rights of the Company under this agreement shall thereupon immediately cease. The Company shall have the right or option to purchase said lands, as set out in Schedule "B," hereto attached, in fee simple, at the end of said term of five years, at the price of two dollars (\$2.00) per acre. The Company shall be entitled to cut and remove the pulp and other timber on said lands at any time after the date hereof; subject, nevertheless, to the conditions set out in paragraph 2 hereof, paying therefor dues at the same rate as provided by paragraph 1 hereof.

The Company hereby covenants and agrees with the Government to make such clearance and improvements upon the land so leased as shall be requisite to remove all fire hazards, and to make the same fit for farming operations, as shall be satisfactory to the Government, and the right of the Company to purchase said lands shall be conditional upon the Company having cleared and improved said lands as herein provided. Said lease of said lands to the Company, and said right of the Company to purchase said lands, are and shall be subject to the discretion of the Government to grant to one David Ralston a patent in fee simple of a parcel of land in the town plot of Kapuskasing, in said area of lands described by said David Ralston in a letter from him to the Minister of Lands, dated March 13th, 1920, as Lot No. 1114 George Street, McPherson.

6. The Company shall be entitled to a license of occupation of the island in Kapuskasing River south of the right-of-way of the National Transcontinental Railway, and with necessary booming privileges, yielding and paying for said license of occupation an

annual rental of five dollars (\$5.00), payable in advance on the first day of September in each and every year said license exists; the first of said payments of rental to be made on or before the first day of September, 1920.

7. As regards that portion of what is known as the "Provincial Colony Farm" in said O'Brien Township, and consisting of certain lots and road allowances which may be more particularly described as follows, that is to say:

Commencing at the highwater mark on the easterly bank of the Kapuskasing River, where the same is intersected by the southerly limit of the right of way of the National Transcontinental Railway; thence easterly and south-easterly, following the southerly limit of said right of way to its intersection with the east boundary of lot 20, concession 13; thence southerly along the easterly boundary of said lot 20 to the south-east angle thereof; thence westerly along the southerly limit of said last mentioned lot to the south-west angle thereof; thence south in a straight line across the road allowance between concessions 12 and 13, one chain to the north-east angle of lot 21, in the 12th concession; thence southerly along the east boundary of said last mentioned lot to the south-east angle thereof; thence westerly along the southerly limits of lots 21, 22, 23 and 24 in the 11th concession and a continuation of the same across the road allowance to where it intersects the highwater mark on the easterly bank of the Kapuskasing River; thence north-easterly, following the meanderings of the said highwater mark on the east bank of said river to the point of commencement, containing by admeasurement 466 acres, more or less, as shown coloured green on plan hereto attached.

The Government hereby agrees to sell same in fee simple to the Company and the Company hereby agrees to buy same in fee simple from the Government, at the price and on the terms following, that is to say: For such part thereof as is not now cut over and cleared of stumps (which part is to be delimited by the Government and agreed upon within two months from the day and date hereof) at the price of two dollars per acre, and as to the remainder of the said Provincial Colony Farm, which is now cut over and cleared of stumps, the price is to be at the rate of one hundred dollars (\$100.00) per acre; provided that, if the Company within one month after said delimitation shall, by writing, notify the Government that the Company is dissatisfied with said price of \$100.00 per acre, then the price therefor is to be ascertained by arbitrators, pursuant to *The Arbitration Act*, and be payable by the Company as hereinafter provided.

Each of the parties hereto, within one month after said written notice given by the Company, shall appoint one arbitrator, said two arbitrators to appoint an umpire.

8. All buildings upon the land described in this agreement and the schedules hereto, except the building known as the school-house and the other buildings for which other provision is made herein, are to be purchased by the Company from the Government at a valuation to be agreed upon, or if not agreed upon, then to be ascertained by arbitrators, pursuant to *The Arbitration Act*, and payable by the Company as hereinafter provided; either of said parties hereto being at liberty to appoint one of the arbitrators therefor and notify the other party in writing of said appointment, whereupon said other party shall, within two weeks of the receipt of said notice, notify the other in writing of the name of the arbitrator selected by it; said two arbitrators shall thereupon appoint an umpire.

The schoolhouse is to be retained in its present position until the Government requires its removal to some portion of the

reservation hereinbefore referred to, and the Company is then to forthwith remove it at the expense of the Company to a location indicated by the Government. As to the two houses occupied by agents of the Government, said agents are to be entitled to continue to occupy same until other arrangements are made by the Government. The Government shall be entitled to select a room in what is known as the Administration Building for the use of officials of the Government, for such time as the Government may elect, and said officials shall have free and undisturbed use and access to said room. The right of the Company to the building mentioned in this paragraph, and the furniture contained therein, is subject also to the right of one R. C. Campbell to the dormitories, recreation rooms and kitchen, under the agreement the terms of which are set forth in a letter from the Deputy Minister of the Department of Lands and Forests to H. E. Sheppard, Colonization Superintendent, Kapuskasing, dated May 12th, 1920.

As to all vacant buildings, the Company may take possession of them at once.

9. Save and except as to the furniture in the two buildings hereinbefore referred to, now occupied by the agents of the Government, and the premises to which R. C. Campbell is entitled as hereinbefore provided; also as to the household furniture in the buildings in paragraph 8, hereinbefore referred to, the Company is to purchase such portion thereof as it requires at a valuation to be agreed upon, or if not agreed upon, then to be ascertained pursuant to *The Arbitration Act*, in the manner mentioned in said paragraph 8. The furniture so purchased is to be paid for by the Company as hereinafter provided.

As to the portion of the furniture which the Company does not desire to purchase, same shall be cared for by the Company till the pleasure of the Government is known, and shall then be delivered over as the Government may indicate to the Company.

10. As to the equipment and supplies belonging to the Government in connection with said Colony Farm (including horses, harness, wagons, sleighs, etc.), which the Government does not inform the Company of its desire to retain, the Company shall be entitled to purchase such portion as it may require at a valuation to be agreed upon, and if not agreed upon then, to be ascertained by arbitration, pursuant to *The Arbitration Act*, and payable by the Company as hereinafter provided.

11. All purchase moneys payable by the Company to the Government, pursuant to the agreement, shall be paid as follows, that is to say: The Company shall pay cash for the price of such lands as shall be purchased by it under the option contained in paragraph 5 hereof; as to all other purchase moneys, ten per cent. (10%) thereof shall be paid when the price therefor is agreed upon, or ascertained as hereby provided, and the balance in five equal annual instalments, with interest payable yearly at the rate of 6 per cent. per annum on the balance from time to time remaining unpaid, until same is fully paid, with the right to the Company to repay at any time before maturity, without notice or bonus.

12. Paragraph seven, subsection 2, of the agreement dated 11th June, 1920, between the Government and Spruce Falls Pulp and Paper, Limited, so far as the same provides for operation of the sawmill therein referred to, is hereby amended by extending the time therefor till first July, 1922.

13. The Company hereby covenants and agrees with the Government to construct the approaches to the two bridges across the Kapuskasing River, along the northerly side of the Canadian National Railway, opposite lot 22, concession 14, in the said Township of O'Brien and to raise the said bridges to such an elevation as shall, in the opinion of the Minister of Lands and Forests of

the

the Province of Ontario, be sufficient to protect said roads and bridges, and persons and vehicles using the same, from all damage and danger of damage from water, ice, or other objects floating in or around said river, and hereafter shall repair all damage to said road or bridge caused by the raising of said waters or from any objects floating thereon.

Said approaches and bridges shall be constructed and raised, and said repairs shall be made, by the Company and at the expense of the Company, under and in compliance with the specifications and directions provided and given by the Department of Lands and Forests for the Province of Ontario, and under the supervision of said Department.

Provided, nevertheless, that at its option, the said Department may construct said approaches, raise said bridges and make said repairs, in which event the Company shall forthwith upon demand pay all cost of said construction, raising and repairing.

14. The agreement herein contained shall enure to the benefit of and be binding upon the parties hereto, their and each of their successors and assigns; provided, however, that no assignment of the agreement dated 9th February, 1918, 11th June, 1920, or of this agreement, shall be made by the Company without the consent of the Government being first had and obtained.

In witness whereof the Minister of Lands and Forests, by command of the Lieutenant-Governor in Council, has hereunto set his hand, with the seal of the Department, and the Company has hereunto affixed its corporate seal, testified by the hands of its proper officers, thereunto duly authorized.

Signed, sealed and delivered  
In the presence of  
HORACE WALLIS.

E. C. DRURY,  
*Acting Minister Lands and  
Forests.*

SPRUCE FALLS CO., LTD.  
By F. J. SENSENBRENNER,  
*President.*

## SCHEDULE "A."

This is Schedule "A" referred to in the annexed Agreement, dated the 4th day of August, 1920.

Between

His Majesty King George the Fifth of the one part;

and

Spruce Falls Company, Limited, of the other part.

Surveys Branch.

Toronto, July 20th, 1920.

*Description of lands in the Township of O'Brien.*

"A."

Being composed of lots numbers 1 to 29 inclusive, in the 1st, 2nd, 3rd, 4th, 5th and 6th concessions of the said township, containing an area of 16,633 acres, **more or less;**

Also

Also lots numbers 1 to 10 inclusive in the 13th, 14th, 15th and 16th concessions, and lots numbers 1 to 20, inclusive, in the 17th and 18th concessions, containing an area of 7,402 acres, more or less.

Also lots numbers 26 to 29 inclusive in the 17th and 18th concessions, containing 692 acres, more or less;

Making a total area of 24,727 acres, more or less.

The above lots and parts of lots being shown bordered in red on the plan of O'Brien Township attached hereto.

### SCHEDULE "B."

This is Schedule "B" referred to in the annexed Agreement, dated the 4th day of August, 1920,

Between

His Majesty King George the Fifth of the one part;

and

Spruce Falls Company, Limited, of the other part.

"B."

Being composed of all that portion of lot number 21 in the 13th concession, lying north of the National Transcontinental Railway;

Also whole lots numbers 21, 25 and 26 and broken lots numbers 22, 23 and 24 in the 14th concession, excepting from the said broken lot number 24 that part containing 11.5 acres granted to J. A. Stewart by Letters Patent, dated November 24th, 1919;

Also whole lots numbers 21, 22, 25, 26 and 27, and broken lots numbers 23 and 24 in the 15th concession;

Also whole lots numbers 21, 22, 23 and 25, and broken lot number 24 in the 16th concession;

Also whole lots numbers 21, 22 and 23, and broken lots numbers 24 and 25 in the 17th concession;

And also whole lots numbers 21, 22, 23 and 24 in the 18th concession, containing a total area of 2,467 4-5 acres, more or less, the said lots and part of lots being shown bordered in yellow on the plan attached.

## CHAPTER 37.

## An Act to amend The County Judges Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The County Judges Act, 1921.*

1919,  
c. 26, s. 2,  
repealed.

**2.** Section 5 of *The County Judges Act*, as enacted by section 2 of *The County Judges Act, 1919*, is repealed and the following substituted therefor:—

Junior  
judge in  
counties of  
Wentworth  
and  
Carleton.  
Rev. Stat.,  
c. 58, s. 7,  
repealed.

**5.** A junior judge may be appointed for each of the counties of Wentworth and Carleton.

**3.** Section 7 of *The County Judges Act* is repealed and the following substituted therefor:—

County of  
York.

**7.** Junior judges not exceeding five in number may be appointed for the County of York.

Rev. Stat.,  
c. 58,  
s. 20 (1),  
(as enacted  
by 1919,  
c. 26, s. 4),  
amended.

**4.** Subsection 1 of section 20 of *The County Judges Act*, as enacted by section 4 of *The County Judges Act, 1919*, is amended by striking out the words "any two or more counties" in the second line and substituting therefor the words "a county or two or more counties."

## CHAPTER 38.

## An Act to amend The Division Courts Act

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 4 of section 47 of *The Division Courts Act*, Rev. Stat., c. 63, s. 47 (4) as enacted by chapter 2, Schedule 19, 1914 Statutes, (as enacted by 1914, c. 2), is amended by striking out the figures “\$500” in the second line thereof and substituting therefor the figures “\$1,000,” and by striking out the figures “\$2” in the fifth line thereof and substituting therefor the figures “\$4.”

**2.** Subsection 2 of section 65 of *The Division Courts Act* Rev. Stat., c. 63, s. 65 (2), is amended by striking out the words “or to appoint a receiver” in the second line thereof, amended.

**3.** Section 87 of *The Division Courts Act* is amended by Rev. Stat., c. 63, s. 87, striking out the figures “\$15” in the first and third lines thereof and substituting therefor the figures “\$30.” amended.

**4.** Section 130 of *The Division Courts Act* is repealed Rev. Stat., c. 63, s. 130, and the following substituted therefor:— repealed.

130. Either party may require a jury in any class of When a action where the amount sought to be recovered jury may exceeds \$50. be required.

**5.** Section 144 of *The Division Courts Act* is amended Rev. Stat., c. 63, s. 144, by adding the following subsection:— amended.

(4) When in the opinion of the judge the action is one that ought to be tried without a jury, the judge shall have power to direct that the action be taken out of their hands.

**6.** Subsection 6 of section 145 of *The Division Courts Act* Rev. Stat., c. 63, s. 145 (6), is repealed and the following substituted therefor:— repealed.

Fees of  
jurors.

- (6) The clerk shall pay each of the five jurors impanelled and sworn the sum of \$3, and the further sum of 10 cents per mile for every mile in excess of 2 miles necessarily travelled from his place of residence to the place at which the court is held, and to each of the jurors not impanelled, but who attend during the sittings of the court in which they have been summoned and who do not attend as witnesses or litigants, the sum of \$1.50, and the further sum of 10 cents per mile in excess of 2 miles necessarily travelled from his place of residence, but the judge shall have the power to increase or reduce the fee for the jurors not impanelled.

Rev. Stat.,  
c. 63, s. 225,  
repealed.

7. Section 225 of *The Division Courts Act* is repealed and the following substituted therefor:—

Board shall  
certify  
rules and  
tariffs to  
Lieutenant-  
Governor  
in Council.

- 225.—(1) The board or four members thereof, shall certify all rules and tariffs so made to His Honour the Lieutenant-Governor in Council for approval.

Notice of  
rules and  
tariffs to  
be pub-  
lished in  
"Ontario  
Gazette."

- (2) The rules and tariffs, after approval, shall be forwarded to the Provincial Secretary and a notice that the rules and tariffs so approved have been received by the Provincial Secretary shall be published in *The Ontario Gazette*, and from and after the first publication of the notice, the rules shall come into operation, and have the same force and effect as if they had been made and included in this Act.

Expenses  
provided  
for.

- (3) The Lieutenant-Governor may direct the Treasurer of the Province to pay out of the consolidated revenue fund the expenses connected with the making, approval and printing of the rules and tariffs.

Rev. Stat.,  
c. 63, s. 232,  
amended.

8. Section 232 of *The Division Courts Act* is amended by striking out the figures "\$100" in the fourth line thereof and substituting therefor the figures "\$200."

Commence-  
ment of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 39.

An Act respecting the Administration of Justice in  
the District of Temiskaming.*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Temiskaming Courts Act, 1921.* Short title.

**2.** Quarterly sittings of the district court of the Provisional Judicial District of Temiskaming for trials without a jury shall be held at the Town of Cochrane in the said district on dates to be fixed by the district judge. Sittings of district court at Cochrane.

**3.** A judge of the said district court shall hold chambers at least once a month at the Town of Cochrane at which all matters which may be dealt with by a judge in chambers shall be heard and disposed of. Judge to hold chambers at Cochrane.

**4.** The judge while attending at the Town of Cochrane for the purpose of holding sittings of the district court as provided in section 2, or for holding chambers, shall also hold court for the purpose of hearing any trials or matters which may come before such judge sitting in the district court judge's criminal court. County judge's criminal court.

**5.—(1)** The clerk of the Sixth Division Court of the Provisional Judicial District of Temiskaming or such other person as the Lieutenant-Governor in Council may appoint shall be a deputy clerk of the district court of the district and shall keep his office at the said Town of Cochrane. Deputy clerk for the district of Cochrane.

**(2)** The said deputy clerk may issue writs for the commencement of actions in the district court and shall, in respect to actions so commenced and all proceedings therein, Powers and duties of deputy clerk.

perform

perform the like duties and have the like powers and rights as are performed and possessed by the clerk of the district court.

Seal.

(3) The said deputy clerk shall have the custody of a seal similar in design to the seal of the court in the custody of the clerk of the court, and all writs, process and proceedings requiring the seal of the court, sealed with such seal shall be held to be duly sealed with the seal of the said court.

Deputy clerk to be local registrar.

(4) The said deputy clerk shall be *ex officio* local registrar of the Supreme Court in and for the territory comprised in the Electoral District of Cochrane.

Fees of deputy clerk

(5) The said deputy clerk shall be entitled to retain for his own use such fees and emoluments for the services performed by him as he would have been entitled to retain had he been acting as the clerk of such court.

Non-jury sittings of High Court Division.

6. Sittings of the High Court Division for trials without a jury shall be held twice a year at the Town of Cochrane on such days as may be from time to time appointed therefor by the judges of the Supreme Court and subsection 5 of section 44 of *The Judicature Act* is amended accordingly.

Deputy sheriff at Cochrane.

7. The sheriff of the Provisional Judicial District of Temiskaming shall appoint a deputy sheriff who shall reside at the Town of Cochrane and who shall perform the duties of such sheriff in those parts of the said district contained in the Electoral District of Cochrane, subject, however, to the direction and supervision of the said sheriff.

Deputy sheriff to act in portions of Districts of Algoma and Thunder Bay.

8. When the sheriffs of the Provisional Judicial Districts of Algoma and Thunder Bay have duties to be performed in those parts of their bailiwicks contained in the Electoral District of Cochrane such duties shall be performed by the said deputy sheriff at Cochrane who, while performing such duties, shall act as a deputy to the sheriff whose duty he is performing and be subject to his direction and supervision.

Fees of deputy sheriff.

9. Such deputy sheriff for his services shall be entitled to retain seventy-five per cent. of the ordinary tariff fees for the duties he performs.

Regulations and appointment.

10. The Lieutenant-Governor in Council may make such regulations as may be deemed necessary for the better carry-

ing out of the provisions of this Act, and may appoint a stenographer and such other clerks and officers as may be deemed necessary for the purpose of carrying into effect the provisions of this Act.

**11.** Appeals from summary convictions may be heard by a judge of the district court of the District of Temiskaming while sitting in court, or in chambers, at the Town of Cochrane under the foregoing provisions of this Act.

**10.** This Act, shall come into force on the 1st day of September, 1921.

## CHAPTER 40.

An Act respecting Proof of Death of Soldiers  
and Sailors while on Active Service.*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.**—This Act may be cited as *The Soldiers' and Sailors' Proof of Death Amendment Act, 1921.*

1919, c. 30,  
s. 2,  
amended.

**2.** Section 2 of *The Soldiers' and Sailors' Proof of Death Act, 1919*, is amended by inserting after the word "Ottawa" in the third line thereof the words "or by any officer of His Majesty's naval, land or air forces authorized by regulation or otherwise to so sign" and by striking out all the words after the word "Force" in the fifth line thereof and substituting therefor the words "or of any other of His Majesty's naval, land or air forces and that he has been officially reported as having died, been killed in action, died of wounds or presumed to be dead, shall be sufficient proof of the death of such person for any purpose to which the authority of the Legislature of Ontario extends," so that the section will now read as follows:—

What to  
be deemed  
sufficient  
proof of  
death.

**2.** The production of a certificate in writing, signed by the Adjutant-General, Acting Adjutant-General, or Director of the Record Office at Militia Headquarters, Ottawa, or by any officer of His Majesty's naval, land or air forces authorized by regulation or otherwise to so sign, stating that the person named in such certificate was a member of the Canadian Expeditionary Force or of any of His Majesty's naval, land, or air forces, and that he has been officially reported as having died, been killed in action, died of wounds or presumed to be dead, shall be sufficient proof of the death of such person for any purpose to which the authority of the Legislature of Ontario extends.

Commence-  
ment of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

## CHAPTER 41.

## An Act to amend The Police Magistrates Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Police Magistrates Amendment Act, 1921.* Short title.

**2.** *The Police Magistrates Act* is amended by adding thereto the following section:— Rev Stat., c. 88, amended.

12a. Where a police magistrate in a city has attained the age of seventy years, the council of the city may by by-law provide for the payment to such police magistrate during his lifetime of an annual sum by way of superannuation allowance. Superannuation of police magistrate.

**3.** The said Act is further amended by adding thereto the following section as section 36:— Rev. Stat., c. 88, amended.

36.—(1) The Lieutenant-Governor in Council may provide for the employment of a stenographic reporter to take down evidence before a police magistrate and may fix the remuneration of such stenographic reporter and define the class of cases in which he shall be employed and make regulations respecting the duties of every stenographic reporter so employed. Appointment of shorthand writer.

(2) The regulations may provide that the remuneration of the stenographic reporter shall be paid by the municipal corporation or by the parties to any proceeding before the magistrate as part of the costs in the case or partly by one method and partly by the other, and where the remuneration is made payable by the municipal corporation the regulations may provide for the allowance of Salary.

of a charge for stenographic reporting as a part of the costs in any case in which a stenographic report of the proceedings has been taken.

Appoint-  
ment of  
woman as  
police  
magistrate  
in city  
of 100,000.

4.—(1) Where the council of a city having a population of 100,000 or over, by resolution declares that it is desirable that a woman should be appointed to be a police magistrate or deputy police magistrate for such city, the Lieutenant-Governor in Council may appoint a woman to be police magistrate or deputy police magistrate accordingly, and where there are more police magistrates than one for any city, the appointment may be in addition to any police magistrates then in office, or to fill an existing vacancy among the magistrates.

Law not to  
be deemed  
to have  
been  
changed.

(2) Nothing in this section shall be construed as a declaration that women were at the time of the passing of this Act ineligible for appointment to the office of police magistrate.

## CHAPTER 42.

## An Act to provide for the Appointment of Police Magistrates with Extended Jurisdiction.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Police Magistrates Ex-Short title.  
tended Jurisdiction Act, 1921.*

**2.** Sections 13 to 23 of *The Police Magistrates Act* are Rev. Stat.  
c. 88,  
ss. 13-23  
repealed. repealed, but such repeal shall not apply to or affect any appointment of a police magistrate heretofore made under any of the said sections, and every such police magistrate, unless otherwise directed by the Lieutenant-Governor in Council, shall have and may exercise the same powers, authority and jurisdiction as before the passing of this Act.

**3.** Notwithstanding anything contained in *The Police Magistrates Act*, the Lieutenant-Governor in Council may appoint a police magistrate for any municipality or for any number of adjacent municipalities, or for any municipality or municipalities and territory without municipal organization. Appoint-  
ment of  
police  
magistrate  
with  
extended  
jurisdiction.

**4.** Every such police magistrate shall be paid an annual salary to be fixed by the Lieutenant-Governor in Council, and such salary and all other expenses of the office shall be payable out of such sums as may be appropriated by the Legislature from time to time for the payment of the salaries and expenses of police magistrates. Salaries.

**5.**—(1) Subject to the provisions of subsections 2 and 3, Jurisdiction. a police magistrate appointed under this Act shall have exclusive jurisdiction or concurrent jurisdiction with any other police magistrate in the territory or in any portion of the territory described in his commission as the commis-

sion

sion shall direct, and no justice of the peace and no police magistrate except one having concurrent jurisdiction with a police magistrate appointed under this Act shall admit to bail or discharge a prisoner or adjudicate upon or otherwise act after judgment in any case arising within the territory described in such commission except in the case of the illness or absence, or at the request of a police magistrate appointed under this Act.

**Exceptions.**

(2) Nothing in subsection 1 shall prevent any other police magistrate or any justice of the peace acting within his territorial jurisdiction from taking an information or issuing a search warrant or a summons or warrant returnable before a police magistrate appointed under this Act or from hearing and determining a prosecution under a by-law of any municipality.

**Justice may act with police magistrate on request.**

(3) Nothing in this Act shall prevent a justice of the peace from acting with a police magistrate on the request of the police magistrate.

**Place of holding court.**

**6.**—(1) A police magistrate appointed under this Act may sit or hold his court in any town or city within the limits of a county or district any part of which is within the territory described in his commission, whether such town or city is or is not excluded from his jurisdiction, and may in any such town or city hear complaints and dispose thereof as police magistrate in respect of all matters arising within such territory and do therein all acts, matters and things in the discharge of the duties and powers of his office.

**Use of court room or town hall.**

(2) A police magistrate appointed under this Act shall have the right to use any court room or town hall belonging to a county or municipality which is included in his commission, but in so using a court room or town hall he shall not interfere with the ordinary use of the court room for the other courts or with the use of the town hall for the purposes for which the same is maintained.

**Fees and costs.**

**7.** Every police magistrate appointed under this Act shall be entitled to collect the same fees and emoluments as a justice of the peace; but such fees and emoluments shall be accounted for by him and shall be paid over to the Treasurer of Ontario, but this shall not authorize the imposition of fees upon an inspector or other officer appointed under *The Ontario Temperance Act* in respect of the case of a complaint prosecuted by him under that Act.

8. Within the territory comprised in his commission, every such police magistrate shall possess the like jurisdiction and shall have and may exercise the like powers and authority of a police magistrate appointed under *The Police Magistrates Act*. Jurisdiction.

9.—(1) A judge or junior judge of a county or district court may be appointed police magistrate under this Act. Appoint-  
ment of  
County  
Judge as  
police  
magistrate.

(2) This section shall not come into force until a day to be named by the Lieutenant-Governor by his proclamation.

10. Except as otherwise provided in his commission, a police magistrate appointed under this Act shall not practise any profession or actively engage in any business, trade or occupation, but shall devote his whole time to the performance of his duties as police magistrate. Police  
magistrate  
not to  
engage in  
other  
profession.

11. It shall not be necessary for a police magistrate appointed under this Act to be actually resident within the territory for which he is appointed. Residence  
of police  
magistrate.

12. The Lieutenant-Governor in Council may make regulations with respect to police magistrates appointed under this Act,— Regulations

(a) For appointing clerical and other assistants of a police magistrate, prescribing their duties and fixing their salary or other remuneration;

(b) Prescribing the office hours of police magistrates;

(c) Providing that a police magistrate shall keep his office at a particular building and prescribing the equipment, arrangement and furnishings of such office;

(d) Authorizing the purchase or lease of a suitable building for the office of a police magistrate and for the holding of police magistrates' courts;

(e) Fixing the remuneration of police magistrates;

(f)

- (f) Fixing the periods and manner in which the fees and emoluments referred to in section 7 shall be paid over to the Treasurer of Ontario;
- (g) Providing for the appointment of an inspector of the offices, books and accounts of the police magistrates appointed under this Act, and defining the powers and duties of such inspector;
- (h) For the appointment of stenographic reporters to take down evidence heard before a police magistrate appointed under this Act, and fixing the fees and charges therefor, and for defining the class of cases in which stenographic reporters may be so employed and the terms and conditions of such employment;
- (i) Generally for the better carrying out of the provisions of this Act.

Commence-  
ment of  
Act.

**13.** Except as otherwise herein provided, this Act shall come into force on the 1st day of July, 1921.

## CHAPTER 43.

## An Act to amend The Crown Attorneys Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Crown Attorneys Amendment Act, 1921.* Short title.

**2.** Subsection 1 of section 16 of *The Crown Attorneys Act* is repealed and the following subsection substituted therefor:— Rev. Stat., c. 91, s. 16 (1), amended.

16.—(1) The Lieutenant-Governor in Council may commute the fees payable to a Crown Attorney for a fixed annual sum not exceeding the average income derived from fees during the next preceding three years.

**3.** This Act shall come into force upon the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 44.

## An Act respecting the office of Crown Attorney in the City of Toronto and the County of York.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**Short title.**     **1.** This Act may be cited as *The Toronto and York Crown Attorneys Act, 1921.*

**"Crown Attorney."**

**2.** In sections 4 to 8 of this Act "Crown Attorney" shall mean the Crown Attorney appointed under the provisions of this Act for the City of Toronto and the County of York.

**Appointment of Crown Attorney for Toronto and York**

**3.** The Lieutenant-Governor in Council may appoint a Crown Attorney for the City of Toronto and the County of York who shall be a barrister-at-law of at least seven years' standing at the Bar of Ontario.

**Assistants.**

**4.—(1)** The Lieutenant-Governor in Council may appoint a barrister-at-law or more than one barristers-at-law to assist the Crown Attorney, and on the nomination of the Crown Attorney such other officers, clerks, and servants in the office of the Crown Attorney as may be deemed necessary by the Lieutenant-Governor in Council.

**Duty of assistants.**

**(2)** Every assistant Crown Attorney so appointed shall act under the direction and instructions of the Crown Attorney, subject to any regulations which may be made under this Act with respect to the duties of the office, and every such assistant when so acting shall have the like powers and duties as the Crown Attorney.

**Not to practise, etc.**

**5.** Except in the performance of his duties under this Act and the regulations, neither the Crown Attorney nor any assistant so appointed shall, without the consent of the Lieutenant-Governor in Council, engage in the practice of his profession

profession nor carry on any other business or calling, but shall devote his whole time to the performance of his official duties.

**6. The Crown Attorney shall,—**

**Powers and  
duties.**

- (a) Aid in the local administration of justice and perform the duties by any general Act of Canada or Ontario assigned to Crown Attorneys;
- (b) Receive and examine all informations, examinations, depositions, recognizances, inquisitions, and papers connected with criminal charges or offences against the laws of Canada or Ontario which the justices of the peace and coroners of the county are required to transmit to him, and where necessary, cause such charges to be further investigated, and additional evidence to be collected, and sue out process to compel the attendance of witnesses and the production of papers, so that prosecutions at the sittings of the High Court Division, the Court of General Sessions of the Peace and the County Court Judge's Criminal Court may not be unnecessarily delayed or fail through want of proof;
- (c) Institute and conduct on the part of the Crown prosecutions for crimes and misdemeanours at the sittings of the High Court Division where no other Crown counsel has been appointed by the Attorney-General, and at the Court of General Sessions of the Peace, and the County Court Judge's Criminal Court for the county in the same manner as the law officers of the Crown have been used to institute and conduct similar prosecutions at the sittings of the High Court Division, and with the like rights and privileges, and attend to all criminal business at the Court of General Sessions of the Peace, and the County Court Judge's Criminal Court;
- (d) Watch over the conduct of the Police and Juvenile Courts and of the Court of General Sessions of the Peace in cases wherein it is questionable whether the conduct complained of is punishable by law or the particular act or omission presents more of the features of a

private

private injury than of a public offence; and, without unnecessarily interfering with private individuals who wish in such cases to prosecute assume wholly the conduct of the case where justice towards the accused seems to demand his interposition;

- (e) Deliver to any Crown officer or counsel appointed by the Attorney-General, all papers connected with the criminal business at the sittings of the High Court Division on or before the opening of the Court;
- (f) Be present at any court, to which any Crown officer or counsel has been appointed by the Attorney-General, and if required, assist the Crown officer or counsel with the criminal business, and, in the absence of the law officers of the Crown and of such counsel, represent the Crown and take charge and conduct of the criminal business to be done at such sittings;
- (g) In cases where public interest so requires, institute and conduct on the part of the Crown prosecutions before the police magistrates of the City of Toronto and the County of York and institute and conduct all other proceedings before any such police magistrates or any justice or justices of the peace acting for any such police magistrate or magistrates under *The Ontario Temperance Act* or any other Statute of this province or of the Dominion respecting the sale, transportation, or keeping for consumption of intoxicating liquors or under *The Deserted Wives' Maintenance Act* or under any Act or law conferring summary powers to convict for offences in relation to the public revenue, the public property, the public domain, the public peace, the public health and any other matter made punishable on summary conviction, whether such prosecutions are instituted by municipal or provincial officers, and the Crown Attorney is hereby empowered to institute such proceedings upon a complaint in writing or as public prosecutor in cases where the public interest requires the exercise of such office or the regulations so direct;

- (h) Conduct on the part of the Crown all appeals to the General Sessions to a County Judge or the Division Court for offences punishable on summary conviction;
- (i) Advise any justice of the peace in respect to criminal offences brought before him for preliminary investigation or for adjudication if he requests him to do so by writing containing a statement of the particular case;
- (j) Procure the necessary forms for the use of justices of the peace, and supply the same to acting justices of the peace as needed, in such manner as he deems expedient, the expense of which shall be paid out of the county funds as part of the expenses connected with the administration of justice, except where such forms are supplied by the county council through the clerk of the county or the clerk of the peace;
- (k) Where a prisoner is in custody charged with an indictable offence, and an application is made for bail, enquire into the facts and circumstances upon which the charge is based, attend upon the hearing of such application and satisfy himself as to the sufficiency of the surety or sureties offered, and examine and approve of all bail bonds in case bail is ordered;
- (l) Perform such other duties and services as the Lieutenant-Governor in Council by regulations prescribes and directs for carrying out the provisions of any Act imposing duties upon Crown Attorneys and also touching the office of Crown Attorney and the prosecution of criminal offenders;
- (m) Advise coroners and attend coroners' inquests.

**7.** The Crown Attorney shall be paid an annual salary of <sup>Salaries.</sup> not less than \$7,500 and each of his assistants shall be paid such salary as may from time to time be fixed by the Lieutenant-Governor in Council, and the salaries of the Crown Attorney and his assistants and all expenses connected with his office shall be payable out of such moneys as may be appropriated by the Legislature for that purpose.

Not to  
take fees.

**8.** Neither the Crown Attorney nor any assistant of the Crown Attorney shall receive for himself or for his office any fees or emoluments whatsoever for anything done or performed by him in pursuance of this Act or of any other Act of Canada or of this Province, and any costs which may be recovered by the Crown Attorney or any of his assistants shall belong to and shall be accounted for to the Crown.

Rev. Stat.,  
c. 91, s. 2,  
repealed.

**9.**—(1) Section 2 of *The Crown Attorneys Act* is repealed and the following substituted therefor:—

2. The Lieutenant-Governor in Council may appoint a Crown Attorney for each of the counties and for each provisional judicial district in Ontario.

Rev. Stat.,  
c. 91,  
ss. 10, 11,  
repealed.

(2) Sections 10 and 11 of *The Crown Attorneys Act* are repealed.

Rev. Stat.,  
c. 91,  
ss. 2, 3, 7,  
8, 14, 15, 16  
not to  
apply.

(3) Sections 2, 3, 7, 8, 14, 15 and 16 of *The Crown Attorneys Act* shall not apply to the City of Toronto and the County of York.

City to  
provide  
office accom-  
modation.

**10.** The Corporation of the City of Toronto shall provide suitable office accommodation, furniture and stationery, with light and heat, for the Crown Attorney, his assistants and staff, to be approved by the Attorney-General, and the expenses so incurred shall be borne and apportioned and paid as part of the expenses of the administration of justice in the County of York.

Commence-  
ment of Act.

**11.** This Act shall come into force on the first day of July, 1921.

## CHAPTER 45.

## An Act respecting The Ontario Provincial Police Force.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Provincial Police Force Act, 1921.* Short title.

**2.** Notwithstanding anything contained in section 17 of *The Constables Act*, the Lieutenant-Governor in Council may alter, amend, repeal, and revoke any regulation contained in any Order-in-Council heretofore passed and confirmed by subsection 1 of section 17 of *The Constables Act* or any other regulation heretofore or hereafter made under the authority of the said Act with respect to the Ontario Provincial Police Force. Amendment of present regulations.

**3.**—(1) There shall be a Commissioner of Police for Ontario, who shall be appointed by the Lieutenant-Governor in Council. Appointment of Commissioner of Police.

(2) In addition to the officers mentioned in subsection 3 of section 17 of *The Constables Act*, the Lieutenant-Governor in Council may appoint such other officers and such officers, clerks and servants of the Ontario Provincial Police Force as may be deemed advisable. Appointment of officers and clerical staff.

**4.** The Commissioner of Police shall have the general control and administration of the Ontario Provincial Police Force and of all officers specially appointed for the enforcement of any Statute of Ontario, and he and all the officers, members, clerks and employees of the force shall be responsible to the Attorney-General of Ontario and shall perform such duties and exercise such powers as may be prescribed by the regulations. Powers and duties of Commissioner of Police.

Rev. Stat.,  
c. 94, s. 17,  
subs. 6,  
repealed.

5. Subsection 6 of section 17 of *The Constables Act* is repealed and the following substituted therefor:—

Investiga-  
tions by  
Commis-  
sioner or  
super-  
intendent.

(6) The Commissioner of Police may hold an inquiry into the conduct of any member of the force or of any officer or employee under his control and upon such inquiry shall have and may exercise the like powers and authority as are conferred upon the Inspector of Legal Offices by section 16 with respect to high constables.

Rev. Stat.,  
c. 94, s. 18,  
subs. 3,  
repealed.

6. Subsection 3 of section 18 of *The Constables Act* is repealed and the following substituted therefor:—

Regulations.

(3) The Lieutenant-Governor in Council may make such regulations from time to time with respect to the office of the Commissioner of Police, and with respect to the Ontario Provincial Police Force and officers appointed for the enforcement of any Statute of Ontario as he may deem expedient, and providing for such clerical and other assistance, and for accommodation and office equipment for any such officer as he may deem expedient.

Commence-  
ment of Act.

7. This Act shall come into force on the day on which it receives the Assent of His Honour the Lieutenant-Governor.

## CHAPTER 46.

## An Act to amend The Mortmain and Charitable Uses Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Mortmain and Charitable Uses Amendment Act, 1921.* Short title.

**2.**—(1) The Lieutenant-Governor in Council may make regulations respecting:— Regulations by Order-in-Council.

(a) The evidence required, upon the application for a license in mortmain under the provisions of *The Mortmain and Charitable Uses Act*, as to the creation of the corporation, its powers and objects and its existence as a valid and subsisting corporation; Evidence upon application. Rev. Stat., c. 103.

(b) The appointment and continuance by the corporation of a person or corporation as its representative in Ontario on whom service of process, notices or other proceedings may be made, and the powers to be conferred on such representative; Service of process.

(c) The forms, duration and extent of licenses, and the forms of powers of attorney, applications, notices, statements, returns and other documents relating to applications and other proceedings under this Act. Forms, duration, etc.

(2) The Lieutenant-Governor in Council may make orders as to particular cases where the general regulations may not be applicable or where they would cause unnecessary inconvenience or delay. Orders as to particular cases.

Proof to  
be furnished  
on applica-  
tion.

(3) Upon the application for a license in mortmain the applicant shall establish to the satisfaction of the Minister, or such other officer as may be charged by him to report thereon, that the provisions of this Act and the regulations have been complied with; and the Minister, Deputy Minister or such other officer may, for that or for any other purpose under this Act, take evidence under oath.

Fees.

(4) There shall be paid to His Majesty for the public use of Ontario for every license under the said *The Mortmain and Charitable Uses Act* such fees as may be prescribed by the Lieutenant-Governor in Council.

Commence-  
ment of  
Act.

**3.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.

## CHAPTER 47.

## An Act to amend The Ontario Public Trustee Act

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Public Trustee Amendment Act, 1921.* Short title.

**2.** *The Ontario Public Trustee Act* is amended by adding 1919 c. 32, amended. thereto the following section:

11a.—(1) Notwithstanding anything contained in *The Surrogate Courts Act* or in any other Act, or in any regulations made under the authority of any Act, the Lieutenant-Governor in Council may by regulation prescribe the forms to be used in support of applications to the Surrogate Court for letters of administration in favour of the Public Trustee. Forms on application for letters of administration.

(2) Notice of every application for letters of administration of the estate of a person who has died in Ontario intestate and without leaving any known relative living in Ontario, or any known relative who can be readily communicated with living elsewhere, shall be given to the Public Trustee before the issue of the letters of administration to any other person, and the Public Trustee may, within thirty days after the receipt of such notice, apply for, and shall be entitled to have granted to him letters of administration to the estate of such deceased person. Notice to Public Trustee, where no relative of deceased in Ontario.

**3.**—(1) The committee or board constituted for the supervision of investments or other dealings with property by the Public Trustee under section 17 of *The Ontario Public Trustee Act* shall be visitors of the office of Public Trustee. Committee to be visitors of office of Public Trustee.

Visitors  
may make  
suggestions.

(2) The visitors may make such suggestions and recommendations with regard to the management and conduct of the office of Public Trustee as they may deem advisable with regard to the general policy of the office.

Consulta-  
tion as to  
methods of  
administra-  
tion.

(3) The Public Trustee may consult with the visitors from time to time as to methods of administration, staff and other matters relating to the office.

Annual  
report of  
visitors.

(4) The visitors shall make an annual report to the Lieutenant Governor in Council respecting the performance of their duties and the exercise of their powers under this section.

Passing of  
accounts.

4. Notice of the passing of the accounts of an executor, administrator, or trustee where a person of unsound mind is interested who is confined in a Provincial Hospital for the Insane, shall be served on the Public Trustee instead of on the Inspector of Prisons and Public Charities, and subsection 5 of section 71 of *The Surrogate Courts Act* is amended by striking out the words "Inspector of Prisons and Public Charities" at the end of the said subsection and inserting in lieu thereof the words "Public Trustee."

Rev. Stat.,  
c. 62,  
s. 71,  
subs. 5,  
amended.

Rev. Stat.,  
c. 62, s. 71,  
amended.

5. Section 71 of *The Surrogate Courts Act* is amended by adding thereto the following subsections:

Notice  
of taking  
accounts to  
be served  
on Public  
Trustee.

(6) Where by the terms of a will or other instrument in writing under which such an executor, administrator or trustee acts, real or personal property or any right or interest therein, or proceeds therefrom have heretofore been given, or are hereafter to be vested in any person, executor, administrator or trustee for any religious, educational, charitable or other purpose, or are to be applied by him to or for any such purpose, notice of taking the accounts shall be served upon the Public Trustee, who shall thereupon have the same rights on the passing of such accounts as any other person interested in the estate.

Where  
person to  
whom ad-  
ministra-  
tion  
granted is  
not next-  
of-kin.

(7) Where a person has died intestate in Ontario and administration has been granted to some person, not one of the next-of-kin, and it appears to be doubtful whether the intestate left any next-of-kin him surviving or that there are no known next-of-kin resident in Ontario, notice of taking the accounts shall be served upon the Public Trustee.

**6.** Subsection 6 of section 21 of *The Devolution of Estates Act* is amended by striking out the words "Inspector of Prisons and Public Charities" in the first line and the word "Inspector" where it occurs respectively in the fifth and seventh lines, and inserting in lieu thereof the words "Public Trustee," so that the subsection will read as follows:—

- (6) Where the Public Trustee is the statutory committee under the provisions of *The Hospitals for the Insane Act* of a lunatic beneficially entitled, it shall be the duty of the Official Guardian to notify the Public Trustee of any sale to which he has consented, and he may, by leave of the Supreme Court or a judge thereof, pay to the Public Trustee the share of such lunatic or such part thereof as the court or judge may direct.

**7.** Notice of applications for an order for the sale of lands held by trustees for a charitable purpose upon the ground that such lands can no longer be used advantageously for such purpose, shall be given to the Public Trustee instead of to the Attorney-General, and subsection 2 of section 18 of *The Trustee Act* is amended by striking out the words "Attorney-General of Ontario" and inserting in lieu thereof the words "Public Trustee."

**8.**—(1) Section 2 of *The Charities Accounting Act*, 1915, is amended by striking out the words "and to the Official Guardian," in the eighth and ninth lines thereof.

(2) Section 4 of the said Act is amended by striking out the words "or to the Official Guardian," in the second line thereof.

(3) Section 5 of the said Act is amended by striking out the words "or by the Official Guardian," in the second line thereof.

(4) Section 6 of the said Act is amended by striking out the words "or of the Official Guardian," in the fourteenth and fifteenth lines thereof.

(5) Clause *c* of subsection 1 of section 7 of the said Act is amended by striking out the words "or to the Official Guardian," in the third line thereof.

(6) Section 7 of the said Act is further amended by adding thereto the following subsections:—

- (4) Where an application is made for letters probate of any will or other testamentary instrument whereby real or personal property or any right or interest therein or proceeds therefrom are given to or vested in any person as executor or administrator

administrator for any religious, educational, charitable or other purpose or are to be applied by him to or for any such purpose, the Surrogate Registrar shall transmit a copy of such will or other instrument to the Public Trustee.

Notice of action to set aside will to be served on Public Trustee.

- (5) Where an action or other proceeding is brought to set aside, vary or construe any such will or other instrument, written notice thereof shall be served upon the Public Trustee, and if no one appears as representing the religious, educational, charitable or other public institution, or if there is no named beneficiary, or a discretion is given to the executor or trustee as to a choice of beneficiaries, the Public Trustee may intervene in such proceedings and shall have the right to object or consent and to be heard upon any argument as a party to such action or proceeding.

Rev. Stat., c. 73, ss. 2-3, repealed.

**9.** Sections 2 and 3 of *The Crown Administration of Estates Act* are repealed and the following substituted therefor:—

Where administration may issue to Public Trustee.

2. Where in the case of any person dying intestate or intestate as to some part of his estate, it appears that in respect of the interest of His Majesty, administration may be rightfully granted to his nominee, any competent court, upon application of the Public Trustee, may grant administration to the Public Trustee for the use and benefit of His Majesty.

Administration where intestate leaves no known relatives in Ontario.

3. Where any person dies in Ontario intestate and without leaving any known relative living within Ontario or any known relative who can be readily communicated with living elsewhere, the Public Trustee may apply for letters of administration, general or limited, of the estate of such person and any competent court upon such application may grant administration to the Public Trustee for the use and benefit of His Majesty or of such persons as may ultimately appear to be entitled thereto.

Commencement of Act.

**10.** This Act shall come into force on the 1st day of September, 1921.

## CHAPTER 48.

## An Act to amend The Trustee Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The Trustee Act* is amended by inserting after section 21 the following as section 21a:— Rev. Stat.,  
c. 121,  
amended.

*Dedication or Sale for Highway Purposes.*

21a. With the approval of the Ontario Railway and Municipal Board or of a judge of the Supreme Court, on summary motion; a person who holds land or a charge or claim against it or has control of the legal title, upon any trust or for a specified or particular purpose, may, to the extent of his estate or interest, dedicate or sell, or join in dedicating or selling, to the corporation of the municipality within which it is situate, any portion of the land required by the corporation for the work of establishing, extending, widening or diverting a street, and the Board or the judge may approve thereof if it appears that it will not have the effect of defeating or seriously affecting the substantial objects or intent of the trust or purpose; provided that the approval shall not be necessary if such dedication or sale is otherwise within such person's powers.

2. Subsection 1 of section 28 of *The Trustee Act* as enacted by *The Trustee Act, 1919*, is amended by striking out all the words after the word "Ontario" in the twenty-fifth line thereof, and substituting therefor the words "for guaranteed investment as set out in *The Loan and Trusts Corporation Act*, provided that in the case of a company licensed under the law of Ontario, it has been approved by the Lieutenant Governor in Council." Rev. Stat.,  
c. 121,  
s. 28 (1)  
(as enacted  
by 1919,  
c. 31),  
amended.  
Power to  
invest trust  
moneys in  
certain  
securities.

## CHAPTER 49.

## An Act to amend The Registry Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Registry Amendment Act, 1921.*

Rev. Stat.,  
c. 124,  
Schedule  
"A,"  
Part III,  
cls. 61, 62,  
amended.

**2.** Clauses 61 and 62 of Part 3 of Schedule "A" of the Registry Act are repealed and the following substituted therefor:—

61. East Toronto consists of all that part of the City of Toronto lying east of the west limit of Spadina Avenue and Spadina Road, continued northerly to the northerly boundary of the City and southerly to the production easterly of a line drawn along the northerly face of the southerly retaining wall of the new Western Channel and thence westerly in a straight line along the said line to the south-westerly boundary of the City, the land on Spadina Avenue formerly occupied by Knox College, and the Islands constituting the southerly part of the said City.

62. West Toronto consists of all that part of the said City lying westerly and northerly of the limits of East Toronto, as defined in Clause 61.

Validity  
of regis-  
trations.

**3.** The registrations of all instruments in the offices of the Registry Divisions as defined in the previous section are hereby confirmed and declared to be valid and binding.

## CHAPTER 50.

## An Act to amend the Bills of Sale and Chattel Mortgage Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Bills of Sale and Chattel Mortgage Amendment Act, 1921.* Short title.

**2.** *The Bills of Sale and Chattel Mortgage Act* is amended by adding thereto the following section:— Rev. Stat., c. 135, amended.

8a. Where the Crown is mortgagee, bargainee or assignee, the provisions of this Act as to an affidavit of *bona fides* shall not apply. Where Crown mortgagee.

**3.** *The Bills of Sale and Chattel Mortgage Act* is further amended by adding thereto the following section:— Rev. Stat., c. 135, amended.

22a. Sections 21 and 22 shall not apply where the mortgage is made to the Crown. Crown not affected.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 51.

## An Act to amend The Marriage Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Marriage Law Amendment Act, 1921*.

Authoriza-  
tion to  
solemnize  
marriage.

**2.**—(1) The Provincial Secretary shall from time to time, on application made to him according to forms prescribed by the Lieutenant-Governor in Council, or to the like effect, which application may be made by the applicant or, on his behalf, by the ecclesiastical authority or authorities of the church, religious denomination or congregation to which he belongs, register such person as authorized to solemnize marriage and may issue one or more certificates of such registration to any person so registered or otherwise and may include therein the name of any number of persons so registered.

Record to  
be kept by  
Provincial  
Secretary.

(2) The Provincial Secretary shall keep in his office a register or record of names of all persons registered as authorized to solemnize marriage, and the time when each such person was first so authorized, and, in case such registration has been cancelled, showing that fact and the date of such registration or revocation of authority to solemnize marriage.

Revocation  
of authority.

(3) Whenever it is made to appear to the satisfaction of the Provincial Secretary that any person registered under the authority of subsection 1 of this section has ceased to possess the qualifications entitling him to be so registered, he may annul such registration and thereby revoke such authority.

Notice  
thereof in  
"Ontario  
Gazette."

(4) Whenever any person is registered under the authority of subsection 1 of this section to solemnize marriage, and whenever any registration has, as to any person, been  
cancelled

cancelled, and the authority thereby revoked, the Provincial Secretary shall give notice in *The Ontario Gazette* of such registration and revocation of such authority, stating therein the name of the person registered as authorized, or as to whom such registration has been cancelled; and publication in *The Ontario Gazette* of notice, purporting to be by the Provincial Secretary, that any person named therein has been registered as authorized to solemnize marriage shall in all courts be conclusive evidence of such registration, and of the authorization and qualification of such person to solemnize marriage, unless and until it shall appear by notice published in *The Ontario Gazette* as aforesaid that such registration has been cancelled and the authority thereby revoked.

Rev. Stat.,  
c. 148,  
s. 2,  
amended.  
Who may  
solemnize  
marriage  
in Ontario.

3. Section 2 of *The Marriage Act* is amended by striking out the words "men and" in the first line thereof.

4. Section 8 of *The Marriage Act*, as amended by section 2 of *The Marriage Law Amendment Act, 1916*, is repealed and the following substituted therefor:—

Rev. Stat.,  
c. 148, s. 8,  
repealed.

8.—(1) Marriage licenses and certificates in lieu of marriage licenses shall be issued from the office of the Provincial Secretary, and the clerk of every city, town and incorporated village and every police magistrate having jurisdiction in territory without municipal organization shall be, *ex officio*, an issuer of marriage licenses and, subject to any regulations as hereinafter provided, shall furnish marriage licenses to persons requiring the same.

Issue of  
marriage  
licenses  
and cer-  
tificates,  
certain  
municipal  
clerks and  
certain  
police  
magistrates  
issuers  
*ex officio*.

(2) The Lieutenant-Governor in Council may, where it is deemed expedient for the public convenience, appoint any township clerk to act as issuer of marriage licenses and may appoint any person to act as issuer of marriage licenses for territory without municipal organization.

Appointment  
of issuers  
for un-  
organized  
territory,  
etc.

5. The Lieutenant-Governor in Council may make regulations defining the terms and conditions upon which marriage licenses and certificates shall be furnished and issued.

Regulations.

6. Subsection 1 of section 11 of *The Marriage Act* is repealed and the following substituted therefor:—

Rev. Stat.,  
c. 148,  
s. 11, subs. 1,  
repealed.

11.—(1) An issuer of marriage licenses or certificates may, with the approval in writing of the Registrar-General

Appointment  
of deputy  
issuers of  
marriage  
licenses.

trar-General or of the mayor or reeve of the municipality of which he is clerk, appoint, by writing under his hand, a deputy or deputies to act for him.

Rev. Stat.,  
c. 148,  
s. 18,  
repealed.

7. Section 18 of *The Marriage Act* is repealed and the following substituted therefor:—

Penalty  
for solemn-  
izing  
marriage  
without  
authority.

18. If any person not registered with and certified by the Provincial Secretary, as hereinbefore provided, solemnizes or undertakes to solemnize any marriage, he shall incur a penalty of \$500, and shall also be liable to imprisonment for any term not exceeding twelve months, but such penalties shall be recoverable or imposed only by action at the suit of the Crown.

Rev. Stat.,  
c. 148,  
s. 19, subs. 1,  
amended.

8. Subsection 1 of section 19 of *The Marriage Act* is amended by adding as clause *g* the following:—

(*g*) Such information as shall be prescribed by Order-in-Council.

Rev. Stat.,  
c. 148,  
s. 24,  
repealed.

9. Section 24 of *The Marriage Act* is repealed and the following substituted therefor:—

Fee for  
license or  
certificate.

24.—(1) No fee shall be payable for a license or certificate except the sum of \$5, of which sum \$4 shall be remitted by the issuer or deputy issuer to the Provincial Treasurer and the sum of \$1 shall be allowed to the said issuer or deputy issuer, which he shall be entitled to retain for his own use, unless and until the council of the municipality shall commute the said allowance for a fixed sum, payable annually by the municipality to the issuer or deputy issuer and thereafter the aforesaid allowance on the issue of each license or certificate shall belong to the municipality.

Disagree-  
ment as  
to com-  
mutation.

(2) In the event of the council of the municipality and the issuer or deputy issuer not agreeing upon the amount of the said commutation to be fixed, such amount shall be fixed by the county judge, and such amount of commutation, payable annually by the municipality to the issuer or deputy issuer, shall be fixed within a period of two years from the coming into force of this Act, and in no case shall such amount exceed the sum of \$2,000.

**10.** An issuer of marriage licenses shall have full power<sup>Identification of</sup> and authority to require the production of witnesses to<sup>applicants</sup> identify the applicants for licenses, or either of them, and<sup>for</sup> also to examine, under oath or otherwise, the applicants or other witnesses as to any material inquiry pertaining to the issuance of the license as he may deem necessary or advisable.

**11.**—(1) An issuer of marriage licenses or certificates<sup>Record to be kept by issuer.</sup> shall keep in his office a register or record of all licenses or certificates issued by him stating the serial number, the date of issue of the license or certificate and the names and addresses of the parties to the intended marriage.

(2) Any person shall be entitled, on signing an applica-<sup>Searches of records.</sup> tion in the prescribed form, to have a search made respecting any license or certificate issued within three months preceding the date of the application.

**12.** This Act shall come into force and take effect on<sup>Commencement of Act.</sup> a day to be named by proclamation.

## CHAPTER 52.

## An Act to provide for the Maintenance of Parents by their Children.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Parents Maintenance Act, 1921.*

Liability of child.      **2.**—(1) A son or daughter shall be liable for the support of his or her dependent parent to the extent hereinafter mentioned.

When parent to be deemed dependent.      (2) A parent shall be deemed to be dependent, where by reason of age, disease, or infirmity he is unable to maintain himself.

Summons and order of magistrate for maintenance.      **3.**—(1) A dependent parent, or any other person with the consent in writing of the Crown Attorney, may summon a son or daughter of such parent before a police magistrate or two justices of the peace, who, upon proof of service of the summons, and whether or not the son or daughter appears, and upon sufficient evidence being adduced that such son or daughter has sufficient means to provide for such parent, may in the discretion of such magistrate, or justices of the peace, having regard to the whole circumstances of the case, order that such son or daughter shall pay for the support of such parent, a weekly sum of money, not exceeding \$20, with or without costs.

Power not affected by maintenance of parent by charity.      (2) An order may be made under the provisions of this Act whether or not the dependent parent is being cared for in any sanatorium, home, asylum, or other eleemosynary institution.

Summons on non-payment of allowance.      **4.** In case of non-payment of any sum so ordered, together with costs, for thirty days after the order has been made,

made, or for such less time as the order may provide, and when and so often as the payment so ordered is in arrears, such parent or person acting on his behalf may procure from the magistrate or justices making the order a summons against the person in default of payment returnable on the fourteenth day after the service thereof.

5. A summons may be served on the person named therein, either personally or in such other manner as the magistrate or justices may in writing direct, and shall require the person so served to attend at the time and place mentioned therein to show cause why the order should not be enforced as hereinafter provided. Service of summons.

6. If the person so summoned does not attend as required by the summons, or show a just and sufficient reason for non-attendance, or does not satisfy the magistrate or justices that he is unable to pay the sum ordered to be paid, the magistrate or justices may enforce the order by the like proceedings, including imprisonment, as under *The Ontario Summary Convictions Act* are applicable in the case of a fine or penalty imposed by a justice of the peace. Penalty for non-attendance or non-payment.

7. The magistrate or justices by whom the order for payment was made, or any other magistrate or justices sitting in his or their stead at his or their request, shall have power, from time to time, to vary the order on the application of the parent, or person acting on his behalf, or of the son or the daughter upon proof that the means of such parent or son or daughter have been altered in amount since the making of the original order, or any subsequent order varying it. Varying order on change in circumstances.

8. The costs of proceedings in this Act shall be the same as are provided for by *The Ontario Summary Convictions Act*, and the provisions of that Act as to appeals, and the proceedings therein and incidental thereto shall apply to any order made under the provision of this Act except that where the son or daughter is the appellant, he or she shall pay all costs. Costs. Appeals.

9. This Act shall come into force and take effect on a day to be named by the Lieutenant-Governor by his proclamation. Commencement of Act.

SUMMONS—FORM "A."

THE PARENTS MAINTENANCE ACT, 1921.

To.....  
Of.....

City  
District Of.....  
County

Whereas an application has this day been made by.....  
.....on behalf of.....  
.....to the undersigned police magistrate, or justices  
of the peace, for a summons under *The Parents Maintenance Act,*  
1921.

These are, therefore, lawful to command you to appear before the  
undersigned, or such police magistrate or justices of the peace as  
may be then and there present in my, or our, stead at.....  
.....on the.....day after the  
service thereof, at the hour of.....in the.....noon,  
to show cause why an order should not be made against you, to pay  
to the support of your.....such weekly sum not ex-  
ceeding twenty dollars (\$20) as may be considered to be in accord-  
ance with your means and with the means of your said.....  
and with the means of your said family, if any.

Given under.....hand }  
and seal this..... }  
.....day of.....19 }

ORDER—FORM "B."

THE PARENTS MAINTENANCE ACT, 1921.

To.....  
Of.....

City }  
District } Of.....  
County }

Upon reading the summons dated the.....  
day of.....19 , issued by.....  
.....police magistrate for.....or justices of  
the peace for.....upon the application of  
.....under the provisions of *The Parents*  
*Maintenance Act, 1921,* and upon hearing all the parties thereto,  
and the evidence adduced, and it appearing that the said.....  
.....is entitled to the protection and benefit  
of the said Act:

I, or we, the undersigned, do hereby order that the said.....  
.....does hereafter pay to his, or her.....  
the sum of \$..... per week, or month, for his, or her, support,  
the first payment to be made on the day of.....19....  
together with the costs of these proceedings, which amount to  
\$....., which shall be paid on or before the.....  
day of ..... 19....

Given under.....hand }  
and seal this..... }  
.....day of.....19 }

## CHAPTER 53.

## An Act respecting Legitimation of Children by the Subsequent Inter-marriage of Their Parents.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Legitimation Act*, Short title.  
1921.

**2.** If the parents of any child heretofore or hereafter born out of lawful wedlock have heretofore intermarried or hereafter intermarry such child shall for all purposes be deemed to be and to have been legitimate from the time of birth, but a child born out of lawful wedlock notwithstanding the subsequent inter-marriage of his father and mother shall be postponed as to inheritance to a child born in lawful wedlock to the same father under a previous marriage to another woman or to the same mother under a previous marriage to another man. Subsequent marriage of parents.

**3.** Nothing in this Act shall affect any right, title or interest in or to property if such right, title or interest has been vested in any person, Rights of property not prejudiced.

(a) Prior to the commencement of this Act in the case of any such intermarriage which has heretofore taken place; or

(b) Prior to such intermarriage in the case of any such intermarriage which hereafter takes place.

**4.** Where a man who is lawfully married and whose wife is living, goes through the form of marriage with another woman who is ignorant of the prior marriage, such woman and her children by the man with whom she has gone through such form of marriage shall, in case of his death, be entitled to a lien or charge upon his estate for all sums of money advanced by them or any of them for the purchase, maintenance or upkeep of any property of which the man may have died possessed, or for the discharge of encumbrances or the making of improvements thereon, but such lien or charge shall be postponed to the payment of the other just debts, funeral and testamentary expenses of the deceased. Rights of woman who has innocently gone through marriage ceremony with bigamist.

**5.** This Act shall come into force on the 1st day of July. Commencement of Act.  
1921.

## CHAPTER 54.

## An Act for the Protection of the Children of Unmarried Parents.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

*Preliminary.*

Short title.

**1.** This Act may be cited as *The Children of Unmarried Parents Act, 1921.*

Rev. Stat.,  
c. 154,  
repealed.

**2.** *The Illegitimate Children's Act*, being chapter 154 of the Revised Statutes of Ontario, 1914, is repealed.

Interpretation.

**3.** In this Act,—

“Judge.”

(a) “Judge” shall mean judge, or junior or acting judge of the county or district court and shall include a police magistrate and a judge of the juvenile court where such police magistrate or judge of the juvenile court has been designated by the Lieutenant-Governor in Council a judge within the meaning of this Act.

“Provincial Officer.”

(b) “Provincial Officer” shall mean an officer in the public service designated for that purpose by the Lieutenant-Governor in Council;

“Regulations.”

(c) “Regulations” shall mean regulations made under the authority of this Act.

*Provincial Officer—Duties and Powers.*

Appointment of  
officers,  
clerks, etc.

**4.** The Lieutenant-Governor in Council may appoint such officers, clerks and servants and may employ such other assistance as he may deem necessary for the administration and enforcement of this Act, and may designate any of such officers a provincial officer for the purposes of this Act.

**5.** The expenses of the administration of this Act shall be borne and paid out of such sums as may be appropriated by the Legislature for that purpose. Expenses—how paid.

**6.** The Division Registrar and the Deputy Registrar-General shall notify the provincial officer of the birth of every child born out of wedlock registered under *The Vital Statistics Act* and every birth registered under the said Act in such a manner as to suggest that the parents are unmarried or unknown, with such particulars as may be directed by the regulations. Provincial officer to be notified of registration of all births out of wedlock.

**7.** It shall be the duty of the provincial officer by inquiry through children's aid societies and the returns furnished by the division registrar or Deputy Registrar-General to obtain all information possible with respect to every child born out of wedlock, and the provincial officer shall take such proceedings and do all such things as are permitted or required under this Act as may seem to him advisable in the interest of such child. Provincial officer to make investigations.

**8.** Nothing in this Act contained shall require the provincial officer to interfere with the care and maintenance of any child born out of wedlock,— Restrictions as to.

(a) Where such child has been adopted according to 1921, c. 55. the provisions of *The Adoption Act*; or

(b) Where such child is being cared for voluntarily by a person or persons whom the provincial officer deems suitable to have the charge of such child.

**9.** The mother of a child born out of wedlock or of a child who is likely to be born out of wedlock may apply to the provincial officer for advice and protection in any matter connected with such child or with the birth of such child, and the provincial officer shall take such action as may seem to him advisable in the interest of such mother and child. Unmarried mother may apply to provincial officer for advice.

**10.** The provincial officer may upon his own application be appointed guardian of a child born out of wedlock either alone or jointly with the mother of such child. Provincial officer may be appointed guardian either alone or jointly.

**11.** Where the father of a child born out of wedlock cannot be found or where adequate means of support cannot be provided by such father and the mother is dead, or is absent, or through lack of means is unable, or through misconduct is unfit to have the care of such child, the child may, with the consent of the provincial officer be dealt with as a Neglected child.

“neglected

“neglected child” within the meaning of *The Children's Protection Act* and shall be maintained in accordance with the provisions of that Act.

**Regulations.** **12.** The Lieutenant-Governor in Council may make regulations,—

- (a) Respecting the procedure to be followed upon an application for an order of affiliation;
- (b) For fixing the fees, costs, charges and expenses payable on proceedings under this Act and for dispensing with the payment of such fees, costs, charges and expenses where owing to lack of means or any other reason the Judge deems such action advisable;
- (c) For the payment of the expenses of the provincial officer in carrying out the provisions of this Act out of such sums as may be appropriated by the Legislature for that purpose;
- (d) For designating a provincial officer, and for the appointment of local and other assistants to the provincial officer, and for authorizing any such assistants to act for and in the place of the provincial officer;
- (e) Generally for the better carrying out of the provisions of this Act.

## PART II.

### AFFILIATION ORDER.

Application  
to Judge.

**13.** An application to the Judge for an affiliation order may be made,—

Who may  
make  
application.

- (a) By the mother of a child born out of wedlock; or,
- (b) By an unmarried woman pregnant with a child; or,
- (c) By the next friend or guardian of a child born out of wedlock; or
- (d) By any person who has supplied medical attendance or nursing or hospital accommodation to an unmarried woman during pregnancy or confinement; or

(e)

(e) By a person who has the custody of a child born out of wedlock or who has undertaken the care and education of such child or who has supplied such child with necessities; or

(f) By any person who has incurred the funeral expenses of an unmarried mother or of a child born out of wedlock; or

(g) By the provincial officer.

**14.** An affiliation order shall not be made under this Act unless the application therefor is made within the lifetime of the father and Limit of time for application.

(a) Within one year after the birth of the child; or

(b) Within one year after the doing of any act on the part of the putative father which affords evidence of acknowledgment of paternity; or

(c) Within one year after the return to Ontario of the putative father where he has been absent from Ontario at the expiration of the period of one year from the birth of the child.

**15.** The Judge shall, upon application, appoint in writing a time and place at which he will inquire and determine whether the person said to be the father of the child is in fact the father of such child. Appointment for hearing.

**16.** Notice in writing of the time and place appointed shall be served personally or in such other manner as the Judge may direct upon the person said to be the father of the child at least three days before the day so appointed. Service of appointment.

**17.** If at the time and place appointed the person so served fails to appear or show sufficient reason for not attending, the Judge, in the absence of such person and upon sufficient evidence being adduced before him, may make such affiliation order or other order as he may deem just. Proceedings in default of appearance.

**18.** Where the person so served appears in pursuance of such notice, the Judge may hear and determine the matter in a summary manner and upon sufficient evidence being adduced before him may make an order declaring the person named therein to be the father of the child and requiring the father to pay to the provincial officer,— In case of appearance.

(a) The reasonable expenses for the maintenance and care, medical or otherwise, of the mother of such child Liability of father—extent of.

child during the three months next preceding the birth of the child, at the birth, and during such period after the birth as may in the opinion of the Judge have been or be necessary in connection with, or as a consequence of, the birth of such child, taking into consideration the circumstances of the case and the report of the medical officer of health of the municipality;

- (b) A sum of money weekly towards the maintenance of the child until the child attains the age of sixteen years, or a lump sum in lieu of such weekly payments which shall form a principal consuming annuity, the income from which shall be equivalent to the order for weekly maintenance by the court, the balance of which, in the event of the death of the child before the age of sixteen years, shall revert to the Province unless otherwise ordered by the court;
- (c) The expenses of the burial of the mother in case of her death at or in consequence of the birth of the child;
- (d) The expenses of the burial of the child if he dies before the making of the affiliation order.

Means of father to be considered.

- (2) In estimating the sums payable by the father under this section, the Judge shall take into consideration the ability to provide, and the prospective means of such father.

Liability of mother for maintenance of child.

**19.** The Judge may in his discretion upon the same or a like application order that the mother of a child born out of wedlock shall contribute a weekly sum of money towards the maintenance of the child until such child reaches the age of sixteen years, or the Judge may make such other order in respect of the care and custody of the child during that period as he may deem just.

Amount of maintenance—how fixed.

**20.** The Judge shall fix such sums for maintenance as shall enable the child to maintain a reasonable standard of life, and the Judge shall be governed in his findings by the consideration of what the child would have enjoyed had he been born to his parents in lawful wedlock.

Varying order.

**21.** The Judge shall have the power from time to time to vary the affiliation order on the application of the provincial officer, or of the child, or of the parents, or of any other person or persons with the consent of the provincial officer, and upon proof that the means of the father against whom an affiliation order has been made have been increased or reduced in amount since the making of the original order, or any subsequent order varying it.

**22.** Every order or judgment given under the authority of this Act may be enforced in the same manner and by the like proceedings as any order or judgment in an ordinary action in such court. How order may be enforced.

**23.** Where an order of affiliation is made by virtue of this Act the Judge may require the father against whom such order is made to give such security for the performance of the order in such manner as the Judge may direct, and on failure to give such security such father may be committed for contempt. Security

**24.** The putative father summoned under the provisions of this Act may, in the discretion of the Judge, be detained as a material witness. Putative father as witness.

**25.** No order of affiliation shall be made at the instance of the mother of a child born out of wedlock or of a child who is likely to be born out of wedlock, unless her evidence is corroborated by some other material evidence, but subject thereto proof of paternity may be established under this Act upon such evidence as the Judge deems sufficient. Evidence

**26.** All proceedings under this Act shall be heard by the Judge in his chambers and not in open court. Proceedings to be heard by judge in chambers.

**27.** Notice shall be given to the provincial officer in all proceedings instituted under the authority of this Act, and he shall have the right to appear and intervene and be heard in person or by counsel on any such proceedings. Notice to be given to provincial officer.

**28.** All payments ordered by the Judge to be made in accordance with the provisions of this Act shall be made to the provincial officer or as he may direct. Payments to be made to provincial officer.

**29.**—(1) It shall be the duty of the provincial officer to see that payments directed to be made under this Act by a person named in an affiliation order, as the father of a child born or likely to be born out of wedlock, are duly made, and upon default in any such payment the provincial officer may apply to the Judge who shall have power upon such application to make an order,— Order for payment; enforcing.

- (a) Forfeiting any recognizance or other security given by the father and directing that the proceeds of any such security shall be applied by the provincial officer in making the payments ordered to be made by the father; or By forfeiture of security.

Summons  
may be  
issued  
where  
default in  
payment.

(b) Summoning the father to attend before him to show cause why he should not be committed to the common gaol for non-compliance with the affiliation order.

Committal  
where  
default in  
payment.

(2) Where the father fails to attend in obedience to an order made under the authority of clause *b* of the preceding subsection, or upon his attending, fails to show cause why he has not complied with such order, or that his failure to comply therewith is due to circumstances beyond his control, the Judge may order him to be committed to the common gaol of the county or district for a period of not more than six months unless the sums in respect of which he is in default are sooner paid.

Death of  
mother not  
a bar to  
proceedings.

**30.** The provincial officer shall not be debarred from instituting or continuing proceedings under this Act by the death of the mother of the child born out of wedlock for whom relief is sought.

Affiliation  
order shall  
bind estate  
of father.

**31.**—(1) Where an affiliation order has been made against the father of a child born or likely to be born out of wedlock, such order shall bind the estate of such father after his death and any sums payable thereunder shall be a debt due from and chargeable upon the estate of the father and recoverable at the suit of the provincial officer, but every affiliation order shall, as to any payment falling due before or after the father's death be subject to review as provided in section 21 and no action or other proceeding shall be taken thereon after the death of the father without the leave of the Judge, and the Judge before granting such leave shall direct that notice shall be given to the widow and legitimate children of the father and to all other persons interested in the estate.

Wife and  
children  
born in  
wedlock  
not to be  
prejudiced.

(2) Where it appears to the Judge that the terms of the affiliation order cannot be carried out without depriving the widow or legitimate children of the father of necessary maintenance, he shall vary the affiliation order to such an extent and in such manner that the widow of the father and his children born in wedlock, if any, shall be duly provided for before the child or children born out of wedlock.

Agreement  
between  
putative  
father and  
mother of  
child as to  
maintenance  
of child  
requires  
approval in  
writing of  
provincial  
officer.

**32.**—(1) Any agreement between the mother and the putative father of a child born or likely to be born out of wedlock and any agreement entered into between such father and any other person relating to any matters coming within the provisions of this Act with regard to the maintenance and support of such mother or child, shall require the approval

in

in writing of the Judge, and a copy of every such agreement shall be recorded with the provincial officer.

(2) Any agreement coming within subsection 1 of this section, entered into without the approval of the Judge, shall be voidable at the instance of the provincial officer.

Agreement voidable—under what circumstances.

**33.**—(1) Where the putative father admits the paternity of the child and makes an adequate offer to provide for the maintenance and education of the child, he may enter into an agreement, in accordance with the terms of such offer, with the provincial officer.

Agreement between father and provincial officer.

(2) Upon failure on the part of the putative father to comply with the terms of such agreement, the provincial officer may apply to the Judge for an affiliation order, and such agreement shall be sufficient proof of paternity.

Failure of father to carry out agreement.

### PART III.

#### LIABILITY OF FATHER OF CHILD BORN OUT OF WEDLOCK.

**34.** The person declared under the provisions of this Act to be the father of a child born out of wedlock shall be liable to contribute—

To what extent father liable for contribution.

- (a) To any or all expenses as set out in clauses *a* and *c* of section 18;
- (b) The funeral expenses of the child if he dies before reaching the age of sixteen years;
- (c) To any expenses incurred by any person who furnishes food, clothing, lodging or other necessities to any child born out of wedlock if the child was under the age of sixteen years at the time the necessities were furnished.

**35.**—(1) An action may be brought for such contribution against the putative father of a child born out of wedlock by the mother of the child or by the father or mother of the mother of the child, or by the provincial officer or by any other person, society or corporation having maintained such child or having expended money or rendered service in connection with any of the matters for which the father is declared in the preceding section to be liable.

Who may bring action.

(2) Where an action is brought under this Part by any person other than the provincial officer, notice thereof shall be given to the provincial officer.

Notice to provincial officer.

**36.** Any such action may be brought in a county or district court.

In what court.

Proportion  
for which  
father liable.

**37.** The Judge trying the case shall decide in view of the circumstances of both parents, what proportion of the reasonable and necessary charges and expenses in connection with any of the matters for which the putative father is declared in this Act to be liable, shall be paid by the father or may, if he deems just so to do, order the father to pay the whole.

Order under  
this Part  
may provide  
for future  
payments.

**38.** If such action is brought by the mother of the child or by her father or mother, or by the provincial officer or by any person having the care and custody of the child, the Judge may make an order to provide for the further maintenance and education of such child and requiring the putative father to pay in addition to other sums ordered to be paid, a sum of money weekly for such a period as may be specified by the Judge.

Where  
father has  
fulfilled  
terms of  
order or  
agreement.

**39.**—(1) Part III of this Act shall not apply where the father of the child has fulfilled the terms of any order of affiliation made against him in respect of the same child or of any agreement made with the approval of a Judge.

Where  
terms of  
order or  
agreement  
partially  
fulfilled.

(2) If the terms of any such order or agreement have not been fulfilled the Judge, in giving judgment in an action under this Part, shall take into consideration any payments made under such order.

Order of  
affiliation,  
evidence of  
paternity.

(3) In any such action an order of affiliation shall be sufficient evidence of the paternity of the child.

Limit of  
time for  
institution  
of action.

**40.** No action shall be brought against the putative father of a child born out of wedlock under Part III of this Act except within the time during which an affiliation order might have been obtained as provided by section 14.

Saving.

**41.** This Act shall not take away or abridge any right of action or remedy which, without this Act, might have been maintained against the father of a child born out of wedlock, but after the making of an affiliation order under this Act no action by the employer or parent of the woman shall be brought for her seduction except by leave of the Judge.

Commence-  
ment of Act.

**42.** This Act shall come into force on the 1st day of July, A.D. 1921.

## CHAPTER 55.

## An Act respecting the Adoption of Children.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Adoption Act, 1921*. Short title.

2. In this Act:— Interpretation.

(a) "Judge" shall mean Judge or Junior or Acting Judge of the County or District Court, and shall include a Judge of a Juvenile Court where such Judge of a Juvenile Court has been designated by the Lieutenant-Governor in Council a Judge within the meaning of this Act; "Judge."

(b) "Provincial Officer" shall mean an officer in the public service designated for that purpose by the Lieutenant-Governor in Council; "Provincial officer."

(c) "Regulations" shall mean regulations made under the authority of this Act. "Regulations."

3.—(1) A person of full age may apply to a Judge for leave to adopt as his child another person younger than himself unless such other person is married to him or is of the following relationship to him either by the whole or half blood:— Who may apply for order.

(a) Brother or sister;

(b) Uncle or aunt.

(2) Where the applicant has a husband or wife living who is competent to join in the application, such husband or wife shall join therein and upon adoption the child shall in law be the child of both. Husband or wife of applicant must join.

Consent  
required.

4.—(1) An order for adoption shall not be made except as hereinafter provided without the consent in writing of the Provincial Officer and of the following:—

- (a) The child if he has attained the age of fourteen years;
- (b) The husband of the child if the child is a married woman;
- (c) The lawful parents or surviving parent of the child or the parent having the lawful custody of the child if the parents are divorced or living separately;
- (d) The former guardian, if any, of the child;
- (e) The mother only, if the child was born out of wedlock;
- (f) The previous adopting parent or parents where the child has been previously adopted;

Proviso.

(2) Provided:—

- (a) That a person whose consent is hereby required shall not thereby be debarred from being the applicant;
- (b) That the fact that the child was born out of wedlock shall in no case appear upon the record.

When con-  
sent to be  
dispensed  
with.

5. The consent of the persons named in subsection 1 of section 4, other than the child or her husband, if any, shall not be required if the person to be adopted is of full age, nor shall the consent of any such person other than the child be required if:—

- (a) Such person is adjudged by the Judge upon evidence submitted to him to be insane or mentally incompetent or unfit to give such consent; or
- (b) Such person is undergoing sentence for a term of which more than three years remain unexpired at the date of the application; or
- (c) Such person is a person whose duty it is to provide proper care and maintenance for such child and has neglected so to do; or

(d)

- (d) The Judge for reasons which appear to him sufficient and which are approved by the Provincial Officer, deems it necessary or desirable that such consent should be dispensed with.

**6.**—(1) If the written consent required by the provisions of the two last preceding sections is not submitted with the application, the Judge may order notice of the application to be served on the parties whose consent is required.

Notice to persons whose consent is required.

(2) The Judge may order the service required by subsection 1 to be made substitutionally or by publication of the notice once in each of three successive weeks in such newspaper as the Judge may order, the last publication thereof to be at least seven clear days before the time appointed for the hearing.

Service of notice.

(3) The Judge may require additional notice and consent.

Additional notice and consent.

**7.** If, after such notice, a person whose consent is required does not appear and object to the adoption, or appears and objects upon grounds which the Judge deems insufficient having in view the interests of the child and of its parents, the Judge may dispense with his consent.

Dispensing with consent after notice.

**8.** The Judge, if satisfied of the ability of the applicant or applicants to fulfil the obligations and perform the duties of a parent towards the child to be adopted, and of the fitness and propriety of the adoption having regard to the welfare of the child, and the interests of the natural parents if living, may make an order for the adoption of the child by the applicant or applicants.

Order of adoption.

**9.**—(1) An order for the adoption of a child under fourteen years of age shall not be made unless the Provincial Officer certifies in writing:—

Certificate of provincial officer as to prior residence.

- (a) That the child has lived for at least two years previously with the applicant, and that during that period the conduct of the applicant and the conditions under which the child has lived have been such as to justify the making of the order; or

- (b) That the applicant is to the knowledge of the Provincial Officer a fit and proper person to have the care and custody of the child, and that for reasons set out in the certificate the period of residence may be dispensed with.

Effect of  
order.

**10.**—(1) An order for adoption shall:—

- (a) Divest the natural parent, guardian or person in whose custody the child has been, of all legal rights in respect of such child, and free such person from all legal obligations and duties as to the maintenance of such child;
- (b) Make such child, for the purposes of the custody of the person and rights of obedience, to all intents and purposes the child of the adopting parent or parents;
- (c) Give the child the same right to any claim for nurture, maintenance and education upon his adopting parent or parents that he would have were they his natural parent or parents.

Use of  
name of  
adoptive  
parent.

(2) In and by the adoption order the Judge may in his discretion give to such adopted child the surname of the adoptive parent and in that event from thenceforth such child shall be entitled to and be known by the surname of the adoptive parent.

Right of  
adopted  
child to  
inherit.

**11.**—(1) A person who has been adopted in accordance with the provisions of this Act shall take the same share of property which the adopting parent could dispose of by will as he would have taken if born to such parent in lawful wedlock and he shall stand in regard to the legal descendants, but to no other kindred of such adopting parent, in the same position as if he had been born to him.

Inherit-  
ance from  
adopted  
child.

(2) If the person adopted dies intestate his property acquired by himself or by gift or inheritance from his adopting parent or from the kindred of such parent, shall be distributed according to the laws of this Province relating to intestacy among the persons who would have been his kindred if he had been born to his adopting parents in lawful wedlock, and the property received by gift or inheritance from his natural parents or kindred shall be distributed in the same manner as if no act of adoption had taken place.

"Child,"  
meaning of  
in instru-  
ments.

**12.** The word "child" or its equivalent in any instrument shall include an adopted child unless the contrary plainly appears by the terms of the instrument.

Rights of  
adopted  
non-resident  
as to  
succession  
in Ontario.

**13.** Except in so far as they are in conflict with the provisions of this Act, a person resident out of the Province who has been adopted in accordance with the laws of any of the Provinces of the Dominion of Canada, shall upon proof of such adoption be entitled in this Province to the same rights of succession as to property as he would have had in the Province in which he was adopted.

**14.** If the child has been previously adopted, all the legal consequences of the former order of adoption shall, upon a subsequent adoption, determine, except so far as any interest in property may have vested in the adopted child, and an order to that effect shall be made by the Judge and shall be forwarded to the Registrar-General and be recorded in the manner prescribed by the regulations. Effect of order on previous adoption.

**15.** A copy of every order of adoption made under this Act, certified by the Judge, shall be forwarded to the Registrar-General of Ontario and shall be recorded by him in the manner prescribed by the regulations. Transmitting copy of order for record.

**16.** Every application under this Act shall be heard by the Judge in his Chambers. Application to be heard in chambers.

**17.** The Lieutenant-Governor in Council may make Regulations:— Regulations.

(a) For the recording of all orders of adoption made under this Act in the office of the Registrar-General;

(b) Respecting the procedure to be followed upon an application for an order of adoption;

(c) For fixing the fees, costs, charges and expenses payable on proceedings under this Act and for dispensing with the payment of such fees, costs, charges and expenses where owing to lack of means or any other reason the Judge deems such action advisable;

(d) For the payment of the expenses of the Provincial Officer in carrying out the provisions of this Act out of such sums as may be appropriated by the Legislature for that purpose;

(e) For designating a Provincial Officer and for the appointment of such local and other assistants to the Provincial Officer, and for authorizing any such assistants to act for and in the place of the Provincial Officer;

(f) Generally for the better carrying out of the provisions of this Act.

**18.** This Act shall come into force on the 1st day of July, 1921. Commencement of Act.

## CHAPTER 56.

## An Act to amend The Stationary and Hoisting Engineers Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Stationary and Hoisting Engineers Amendment Act, 1921*.

1919, c. 37,  
s. 2 (a),  
amended.

**2.**—(1) Clause *a* of section 2 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the figures “34” in line two thereof, and substituting therefor “34½.”

1919, c. 37,  
s. 2 (c),  
amended.

(2) Clause *c* of the said section 2 is amended by adding at the end thereof the words “or for portable or industrial work.”

1919, c. 37,  
s. 2 (e),  
repealed.

(3) Clause *e* of the said section 2 is repealed and the following substituted therefor:—

“Steam  
Plant.”

“Steam plant” shall mean and include a steam boiler or boilers, steam engine or engines, steam pump or pumps, or any combination of engines, boilers and pumps, and every part thereof and thing connected therewith or used with reference to any such boilers, engines or pumps, in one building or in two or more buildings, if said buildings are not separated by a distance of more than three hundred feet and under the one management.

1919, c. 37,  
s. 2,  
amended.

(4) Section 2 of *The Stationary and Hoisting Engineers Act, 1919*, is further amended by adding thereto the following clauses:—

“G.P.H.P.”

(f) “G.P.H.P.” shall mean gas plant horse power, defined as the brake horse power rating of the motive driving the compressor or compressors;

(g)

(g) "Gas plant" shall mean and include air, ammonia, <sup>"Gas Plant."</sup> carbon dioxide and sulphur dioxide compressor or compressors, driven by power other than steam, and every part thereof and things connected therewith and used with reference to any such compressor or compressors;

(h) Wherever in this Act "steam plant" is mentioned, the words "gas plant" shall be inserted immediately thereafter, and where the letters "B.H.P." appear, "G.P.H.P." shall be inserted immediately thereafter.

**3.** Section 3 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word "any," <sup>1919, c. 37, s. 3, amended.</sup> in line one, the word "stationary"; by striking out the word "fifty" in line two and substituting therefor the word "twenty-five"; by striking out the words "at a pressure of twenty pounds or under" in lines three and four and substituting therefor the words "with the safety valve set to relieve the pressure at ten pounds or under"; by inserting after the word "engine," in line four, the words "used on chartered railroads or electric locomotive"; and by striking out the words "or quarry" in line six.

**4.** Clause *a* of section 5 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the words <sup>1919, c. 37, s. 5 (a), amended.</sup> "and the recording of changes made in an engineer's position," in lines six and seven thereof.

**5.** Section 6 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out all the words after <sup>1919, c. 37, s. 6, amended.</sup> the word "subject" in the second line and substituting therefor the following words, "or has expressed his intention of becoming a Canadian citizen and has the necessary residence qualifications for becoming a Canadian citizen required by *The Dominion Naturalization Act* and has made application to the proper authorities for naturalization papers."

**6.—(a)** Subsection 3 of section 7 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out <sup>1919, c. 37, s. 7, subs. 3, amended.</sup> the words "unless by special permission of the board" in line six thereof.

(b) Subsection 4 of the said section 7 is amended by <sup>1919, c. 37, s. 7, subs. 4, amended.</sup> striking out after the word "application" in line three thereof the words "of the B.H.P. and steam pressure of their plants" and substituting therefor the words "of the horse-power of the plant and pressure at which safety valves on boilers and tanks are set to relieve said pressure."

(c)

1919, c. 37,  
s. 7, subs. 5,  
repealed.

(c) Subsection 5 of the said section 7 is repealed.

1919, c. 37,  
s. 8,  
repealed.

**7.** Section 8 of *The Stationary and Hoisting Engineers Act, 1919*, is repealed and the following substituted therefor:—

In absence  
of engineer,  
who may  
operate.

8. The duties of an engineer may be performed for a period not exceeding fourteen days by any person, providing the engineer, for reasons other than dismissal, absents himself from his post without having given seven days' notice; provided that at the end of such period an engineer with the proper qualifications is employed.

1919, c. 37,  
s. 9,  
amended.

**8.** Section 9 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word "certificate," in line two thereof, the words "of corresponding horse-power."

1919, c. 37,  
s. 10,  
amended.

**9.** Section 10 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word "engine," in line two, the word "compressor"; by inserting after the word "employed," in line three, the words "except in the case of a hoisting plant when the operator must carry same on his person"; by inserting after the word "the," in line three, the word "plant"; and by inserting after the word "engine," in line four, the word "compressor."

1919, c. 37,  
s. 13 (e),  
amended.

**10.** Clause *e* of section 13 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by striking out the word "boilers" and substituting therefor the word "plants."

1919, c. 37,  
s. 14 (b),  
amended.

**11.**—(a) Subsection (b) of section 14 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word "board," in line two, the words "or inspector."

1919, c. 37,  
s. 14,  
amended.

(b) The said section 14 is further amended by adding thereto the following subsection:—

Penalty for  
impersona-  
tion.

(c) Any person impersonating another and presenting himself for examination under a false name in order to obtain a certificate for a person other than himself shall incur a penalty of not less than \$200.

1919, c. 37,  
s. 15 (a),  
amended.

**12.**—(1) Clause *a* of section 15 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by inserting after the word "thereof," in line two, the words "or as fireman

or oiler at a stationary, steam or gas plant under an engineer," and by inserting after the word "charge," in line five thereof, the words "or as fireman or oiler at a stationary steam or gas plant."

(2) Clause *b* of the said section 15 is amended by striking out the words "not less than \$10 nor more than \$25" in the second and third lines thereof and substituting therefor the words "not less than \$25." <sup>1919, c. 37, s. 15 (b), amended.</sup>

**13.** Section 17 of *The Stationary and Hoisting Engineers Act, 1919*, is amended by adding thereto "and all fees collected shall be remitted to the chairman of the Board of Stationary and Hoisting Engineers, cheques being made payable to the Treasurer of Ontario." <sup>1919, c. 37, s. 17, amended.</sup>

## CHAPTER 57.

## An Act respecting Provincial Auctioneers.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**Short title.**     **1.** This Act may be cited as *The Provincial Auctioneers' License Act, 1921.*

**Provincial license.**     **2.**—(1) The Minister of Agriculture may grant to any person who in his opinion possesses special qualifications, a license to sell pure-bred live stock only, by public auction in Ontario.

**Fee.**     (2) Any person who resides in Ontario shall pay a fee of \$50, and any person who does not reside in Ontario shall pay a fee of \$100 for such license.

**Sale in conjunction with local auctioneer.**     (3) Any person who holds a license under this Act shall not conduct a sale of pure-bred live stock unless an auctioneer holding a municipal license covering the municipality in which the sale is held is also employed at such sale.

**Term of license.**     **3.** The license or any renewal thereof shall remain in force only during the current calendar year of issue.

**Municipal license not required.**     **4.** A person holding a license under this Act shall not be required to take out an auctioneer's license in any municipality for the sale of pure-bred live stock.

**Revocation of license.**     **5.** The Minister may revoke the license at any time for any cause appearing to him sufficient.

**When Act takes effect.**     **6.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.

## CHAPTER 58.

## An Act to amend The Ontario Companies Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Companies* Short title.  
*Amendment Act, 1921.*

**2.** Part X of *The Ontario Companies Act* is amended by Rev. Stat.,  
c. 178,  
Part X,  
amended.  
adding thereto the following as section 145a and section 145b:—

145a. A corporation may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney to execute on its behalf deeds to which it is a party in any capacity in any place situate within or without the Province of Ontario; and every deed signed by such attorney, on behalf of the corporation and under his seal, shall bind the corporation and have the same effect as if it were under the common seal of the corporation. Power of attorney by corporation.

145b.—(1) A corporation may have for use in any territory, district or place not situate in the Province of Ontario an official seal, which shall be a facsimile of the common seal of the corporation, with the addition on its face of the name of every territory, district or place where it is to be used. Power for corporation to have official seal for use abroad.

(2) A corporation having such an official seal may, by writing under its common seal, authorize any person appointed for the purpose in any territory, district or place not situate in the Province of Ontario, to affix the same to any deed. Authority to agent to affix seal.

deed or other document to which the corporation is party in any capacity in that territory, district or place.

Duration  
of agent's  
authority  
to bind  
corporation.

- (3) The authority of any such agent shall, as between the corporation and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is therein mentioned, then until notice of the revocation or termination of the agent's authority has been given to the person dealing with him.

Certifying  
date and  
period of  
sealing.

- (4) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same.

Official  
seal to  
have same  
effect as  
common  
seal.

- (5) A deed or other document to which an official seal is duly affixed shall bind the corporation as if it had been sealed with the common seal of the corporation.

Rev. Stat.,  
c. 178, s. 135,  
repealed.

**3.** Section 135 of *The Ontario Companies Act* is repealed and the following substituted therefor:—

Annual  
statement  
or return  
of the  
affairs  
of the  
corporation.

- 135.—(1) On or before the first day of February in each and every year every corporation, whether incorporated under the laws of Ontario or otherwise, which has its head or other office or is doing business, or any part thereof, in the Province of Ontario and not being a corporation liable to payment of taxes under *The Corporations Tax Act* shall, without notice or demand to that effect, make out, verify and deliver to the Provincial Secretary, as hereinafter required, a detailed statement or return containing as of the 31st day of December next preceding, correctly stated, the following information and particulars:—

Contents  
of state-  
ment or  
return.

- (a) The name of the corporation;  
(b) The jurisdiction under the laws of which the corporation was incorporated;  
(c) The manner in which the corporation is incorporated, whether by special Act, or by Letters Patent, or otherwise, and the date thereof;

(d)

- (d) Whether the existence of the corporation is limited, by Statute or otherwise, and, if so, the period of its existence yet to elapse, and whether its existence may be lawfully extended;
- (e) Whether the corporation is a valid and subsisting corporation;
- (f) A concise and general statement of the nature of the business or objects of the corporation;
- (g) The names, residences and post office addresses of the president, secretary, treasurer, director, and manager of the corporation;
- (h) The name and post office address of the chief officer or manager in this province;
- (i) A list alphabetically arranged, of the persons who, on the said 31st day of December next preceding, were shareholders of the corporation, and the residence and post office address of each such person; the number of shares held by each; and the amount, if any, paid thereon;
- (j) The location of the head office of the corporation, giving the street and number when possible;
- (k) The location of the principal office in Ontario where the head office is situated outside of Ontario;
- (l) The date upon which the last annual meeting of the corporation was held;
- (m) The amount of the bond or debenture debt of the corporation;
- (n) A detailed statement of the real estate owned by it situated within the province; where situate and the value thereof;

And

And in the case of a corporation having share capital, in addition,

- (o) The amount of the capital stock of the corporation, and the number of shares into which it is divided;
- (p) The number of shares issued and allotted and the amount paid thereon;
- (q) The par value and if without par value, then the market value, or if there be no market value, the actual value of its shares of stock;
- (r) The total amount of shares issued as preference shares;
- (s) The total amount paid on such shares;
- (t) The total number and amount of share warrants and the names, residences and post office addresses of the persons to whom the same were issued;
- (u) The number of shares, if any, issued as consideration for any transfer of assets, goodwill, or otherwise, and the extent to which the same are paid; if none are so issued, this fact to be stated;
- (v) Such other information as may be required by Order-in-Council, a copy of which Order-in-Council shall be published in *The Ontario Gazette*;

If the corporation is a mining company to which Part XI is made applicable,

- (w) The number of shares sold or otherwise disposed of at a discount or premium;
- (x) The rate at which such shares were sold or disposed of;
- (y) Whether a verified copy of the by-laws, if any, providing for the sale of shares at a discount or otherwise was sent to the Provincial Secretary;

(z)

- (z) The date or dates upon which such by-laws, if any, were passed and confirmed.
- (2) A duplicate of such statement or return with the affidavit of verification shall be posted up in a conspicuous position in the head or principal office in Ontario of the corporation on or before the 2nd day of February in each year, and may be inspected by any shareholder or creditor of the corporation; and the corporation shall keep the same so posted until another statement or return is posted up under the provisions of this Act. Posting of statement or return.
- (3) The statement or return of every corporation shall be verified by the affidavit of any two of the following officers of the corporation, namely, the president, vice-president, secretary, treasurer or manager, or such other person or persons connected with the corporation having a personal knowledge of the affairs of the corporation as the Provincial Secretary may require; and if the president or vice-president does not make or join in the affidavit, the reason therefor shall be stated in the affidavit. Verification thereof.
- (4) The statement or return so verified shall, on or before the 8th day of February next after the time hereinbefore prescribed for making the statement or return, be transmitted to the Provincial Secretary. Transmission to Provincial Secretary.
- (5) If a corporation makes default in complying with the provisions of this section, the corporation shall be liable to a penalty of \$20 for every day during which the default continues and the corporation shall also be liable to a tax of double the amount for which it would have been liable under section 138 of this Act, and any penalty or such double tax may be recoverable in any court of competent jurisdiction by action at the suit of the Crown to be tried by a judge without a jury. In any such action the Crown shall have the same right, either before, during or after the trial, to require the production of documents, to examine parties or witnesses or take such other proceedings in aid of the action as a plaintiff has or may take in an ordinary action. Penalty for default.

Corporations incorporated before 1st July, 1907, etc.

7 Edw. VII.  
c. 34.

Provincial Secretary may enlarge time.

Transfer to or by corporation in arrears not to be registered.

Rev. Stat.,  
c. 178,  
s. 159,  
amended.

(6) Corporations incorporated before the 1st day of July, 1907, under any Act repealed by *The Ontario Companies Act, 1907*, except chapter 191 of the Revised Statutes of Ontario, 1897, and Acts consolidated therewith for which that Act was substituted, shall make such statements or returns under this section as are required from corporations without share capital.

(7) The Provincial Secretary may at his discretion and for good cause enlarge the time for making and delivering any such statement or return.

(8) No registrar of deeds or land titles officer shall register any instrument made by or in favour of, or purporting to confer any interest in land, whether by way of caution, certificate or otherwise, upon any corporation regarding which he shall have received notice in writing from the Provincial Secretary that such corporation is in arrears in respect to any such statement or return or any tax or fee payable with such statement or return.

4. Section 159 of *The Ontario Companies Act* is amended by deleting the word "he" in the fifth line thereof and substituting therefor the words "the Provincial Secretary."

## CHAPTER 59.

## An Act to amend The Timber Slide Companies Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Timber Slide Companies Amendment Act, 1921.* Short title.

**2.** Section 50 of *The Timber Slide Companies Act* is amended by adding thereto the following subsection:— Rev. Stat., c. 181, s. 50, amended.

(1a) Where the term of existence of any company incorporated for a limited period has expired but the company has continued to carry on business and it appears to the Lieutenant-Governor in Council that the company has acted in good faith, the Lieutenant-Governor in Council, notwithstanding the expiry of such period, may, by supplementary letters patent, extend the term of existence of the company as from the date of the expiry, and thereupon the company shall be deemed to have continued in existence from such date and the dams, slides, piers, booms and other works constructed by the company for the transmission of timber down any river or stream, or for the improvement of navigation on such river or stream, shall not be deemed to have become the property of His Majesty, but to have remained vested in the company for the period named in such supplementary letters patent, and section 17 shall not be deemed to have applied to the company. Extension of charter after expiry of term of company's existence.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 60.

## An Act to amend The Ontario Insurance Act

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Ontario Insurance Amendment Act, 1921.*

Rev. Stat.,  
c. 183  
s. 69 (3),  
repealed.

**2.** Subsection 3 of section 69 of *The Ontario Insurance Act* is hereby repealed.

Rev. Stat.,  
c. 183,  
ss. 78a to  
78i (as  
enacted by  
1916, c. 36,  
s. 2, repealed)

**3.** Sections 78a to 78i both inclusive of *The Ontario Insurance Act*, as enacted by *The Ontario Insurance Amendment Act, 1916*, are hereby repealed, and the following sections are inserted in lieu thereof:

"Rates of  
Contribution."

78a. "Rates of Contribution" as used in section 78b to 78m hereof shall mean and include the regular net premiums, dues, rates or contributions receivable from the members for the purpose of the payment at maturity of the society's certificates or contracts of insurance.

Societies  
to file  
actuarial  
report  
annually.

78b.—(1) In addition to the annual statement required to be filed under this Act, each society shall file with the Registrar not later than the first day of May in each year beginning in the year 1921, a valuation of its certificates or contracts of insurance in force at the last preceding 31st day of December, which valuation shall have regard to the prospective liabilities of the society under its certificates or contracts of insurance and to the rates of contribution to be thereafter received from its members on such certificates according to the rates in force at the date of valuation, and shall be made and certified by an actuary appointed by the society and shall include a valuation balance sheet in such form and detail as the Registrar may from time to time prescribe.

- (2) Where in the opinion of the actuary appointed by the society the valuation balance sheet shows that the society is in a position to provide for the payment of its contracts of insurance as they mature, without deduction or abatement and without increase in its existing rates of contribution, the society shall file with the Registrar a declaration of actuary, under what circumstances.
- (3) A summary of the valuation certified by the actuary and a statement as to the financial condition of the society disclosed by such valuation shall be mailed to each insured member not later than the first day of June in each year or in lieu thereof such certified summary of the valuation and statement of the actuary may be published in the society's official paper and a copy mailed to each insured member.
- 78c.—(1) If it appears to the Registrar from the statement and reports filed with him or from an examination or valuation made in pursuance of this Act, that the assets of a registered friendly society applicable to the payment of its insurance contracts are insufficient to provide for the payment of its contracts of insurance at maturity without deduction or abatement and without increase in its existing rates of contribution, he shall make a special report to the Minister as to the financial condition of the society.
- (2) If the Minister, after consideration of the said report, concurs in the opinion of the Registrar, the Minister shall request the society to make, within such time as he may prescribe, but not exceeding four years, such increase in its rates of contribution or such reduction in the benefits payable under its contracts of insurance or otherwise, as will enable the society to provide for the payment of its contracts of insurance at maturity.
- (3) On receipt of such request the society shall take the steps prescribed by its laws or constitution for putting into effect such changes as may be approved by the actuary appointed by the society for the purpose aforesaid.
- (4) Where in the opinion of the governing executive authority of the society a special meeting of the society is desirable for the purpose of considering the request of the Minister, the said governing

ing executive authority of the society may call a special meeting of the supreme legislative body of the society upon such notice as the said governing executive authority may deem reasonable, and as the Registrar may approve and such meeting so called shall be deemed to have been regularly constituted notwithstanding any provisions contained in the constitution and laws of the society.

Reduction  
of benefits.  
or increase  
of rates.

78d. A friendly society incorporated under the laws of Ontario may by amendment of its constitution and laws reduce the benefits payable under its contracts of insurance or some of them, or increase the rates of contribution payable by its members as a whole or some class or classes thereof, or make such other changes as are necessary to comply with the aforesaid request of the Minister and such amendments when adopted by a majority of the votes duly cast by the members of the supreme legislative body of the society at a regular or special meeting of the said supreme legislative body of the society duly called shall be binding upon the members of the society and upon their beneficiaries or legal representatives and upon all persons deriving legal rights from any member or beneficiary, notwithstanding anything contained in the provisions of its constitution and laws before such amendments, or in its act or instrument of incorporation, or in any contract, policy or certificate of insurance heretofore or hereafter issued by the society.

Default of  
society in  
complying  
with re-  
quest of  
Minister.

78e.—(1) Where any society does not within the time allowed comply with the request of the Minister as prescribed by subsection 2 of section 78c, the Registrar shall report the default to the Minister, who shall thereupon appoint a readjustment committee of three persons of whom at least one shall be an actuary who shall at as early a date as practicable investigate the assets, liabilities, rates of contribution and plans of insurance of such society and prepare a report containing such amendments to such society's constitution and laws reducing the benefits payable under its contracts of insurance or some of them or increasing the rates of contribution payable by its members as a whole or some class or classes thereof, or such other amendments as said readjustment committee deem necessary in order

order to provide for the payment of all the contracts of insurance of such society as they mature, in accordance with said amendments.

- (2) The said readjustment committee shall file such report in the office of the Registrar and deliver to the society a certified copy thereof and immediately upon such report being filed with the Registrar the amendments contained therein shall be and become part of the constitution and laws of such society and shall be valid and binding upon all its members and upon their beneficiaries or legal personal representatives and upon all persons deriving legal rights from any member or beneficiary notwithstanding anything contained in the provisions of its constitution and laws before such amendments or in its act or instrument of incorporation or in any policy or certificate of insurance issued by such society. Amendments in report of adjustment Committee to become part of constitution and laws of society.
- (3) The said readjustment committee shall in the said amendments fix a date not more than six months after the date of filing of the report when the reduction of benefits or increase in the rate of contribution provided for by such amendments shall be in full force and effect. Date to be fixed in report.
- (4) Such society shall bear the expense of the investigation and report and furnish the readjustment committee with required information. Expenses.
- 78f.—(1) Where a society which is unable to furnish the declaration of an actuary prescribed in subsection 2 of 78b has heretofore adopted or shall hereafter adopt new rates of contribution which in the opinion of the actuary appointed by the society, filed with the Registrar, make reasonable provision for the payment in full at maturity of the contracts of insurance issued to its members who have entered or shall enter the society upon such new rates of contribution, such society shall, after the payment of the matured contracts of such members, create and from time to time maintain out of the rates of contributions of such members and interest accretions thereto, a reserve fund not less than the amount which, with the rates of contributions to be collected from such members, is, in the opinion of the actuary, required to pay in full such contracts of insurance as they mature, and such fund shall be a separate Where society unable to furnish declaration of actuary.

separate fund of the society and shall not be liable for payment of the debts and obligations of the society under its contracts of insurance with those members who have not contributed to the funds of the society under said new rates of contribution or under the provisions contained in subsection 2 of this section.

New certificates may be issued.

- (2) The society may provide in its constitution and laws for the issue of new certificates to members admitted to the society prior to the establishment of such fund upon such terms and conditions as will in the opinion of the actuary appointed by the society certified in writing to the Registrar enable the society to pay in full the contracts of insurance issued to such members as they mature and the provisions of subsection 1 of this section shall apply to such new certificates.

Annual valuation of actuary, what to show.

- (3) The annual valuation of the actuary of the society maintaining a separate fund as hereinbefore prescribed shall show clearly and separately and in such detail as the Registrar may require, the financial position of the society in respect of the certificates of insurance included, and those not included, within the scope of the separate fund.

Merger of funds.

- (4) When a society which has been maintaining a separate fund for new members in accordance with the provisions of this section files with the Registrar a declaration of the actuary appointed by the society in accordance with the provisions of subsection 2 of section 78*b*, the separate fund may, with the approval of the Registrar, be merged with the other funds of the society of a kindred nature.

Maintenance of common expense fund.

- (5) Nothing herein contained shall prevent a society which maintains a separate fund as hereinbefore described from maintaining a common expense fund.

Life insurance of children.

- 78*g*.—Where a society is authorized by its constitution and laws and undertakes in Ontario to insure the lives of children the rates of contribution for such child insurance shall be approved by an actuary and the society shall maintain out of the rates paid upon contracts of child insurance and interest accretions thereto, a separate

separate fund for the payment at maturity of such contracts, and the actuary appointed by the society to value its contracts of insurance shall make a separate valuation of the outstanding child insurance contracts, and shall show the amount of the fund held for such contracts.

- 78h.—A society which files with the Registrar the declaration prescribed by subsection 2 of section 78b or a society that is maintaining a separate fund for its contracts of insurance as prescribed by section 78f may provide in its constitution and laws for the issue of contracts of life insurance wherein the regular rates of contributions payable thereunder may be limited to a period of twenty or more years, provided such rates of contribution have been approved by an actuary and provided further that such certificates of insurance shall be subject to the provisions of subsection 1 of section 78f, but such limitation of payments shall not affect the right of the society to make an assessment or assessments in respect of such certificates in accordance with the constitution and laws of the society either during or after the period of such limited payments.
- Society may limit period to twenty years, under what circumstances.
- Proviso.

- 78i.—In the event of an epidemic or other unforeseen contingency impairing the funds of a society the governing executive authority of the society may impose a special assessment or special assessments upon the members of the society or upon such class or classes thereof and with such incidence as in the opinion of the governing executive authority is deemed necessary and equitable, and such special assessment or assessments shall be binding on the members of the society notwithstanding anything to the contrary in its act or instrument of incorporation or its constitution and laws, or in any certificate of insurance heretofore or hereafter issued by the society.
- Epidemic or unforeseen contingency.

- 78j.—A society whose valuation balance sheet prescribed by subsection 1 of section 78b shows a surplus of assets of more than five per centum over and above all net liabilities may apply such portion of such surplus as may be approved by the actuary appointed by the society, in the manner prescribed by the constitution and laws of the society.
- Application of surplus.

Certificate of approval of actuary to be filed with Registrar before putting into effect new benefits.

78k.—On and after January 1st, 1922, every registered friendly society shall, before putting into effect any new or additional benefits or any new scale of rates of contribution under certificates of insurance, file with the Registrar a certificate of an actuary approving of such benefits or rates of contribution.

Sections 78a—78m, and section 98 (4), to what not to apply.

78l.—Sections 78a to 78m, both inclusive, shall not apply to a society registered for the transaction of sick and funeral benefits only, nor to the sick and funeral benefit contracts issued by any society; and subsection 4 of section 98 shall not apply to a society that furnishes to the satisfaction of the Registrar, a declaration of an actuary prescribed by subsection 2 of section 78b.

"Actuary."

78m.—The term "actuary" as hereinbefore used shall mean a Fellow of the Actuarial Society of America, or of the Institute of Actuaries of Great Britain, or of the Faculty of Actuaries in Scotland, provided however, that an actuary who, for a period of not less than five years preceding the date of the passing of this Act, has been serving a registered friendly society transacting business in Ontario on the said date as its actuary, and who has been in active practice as an actuary for a period of not less than twenty-five years prior to the said date, may for the purpose of this Act, with the consent of the Registrar, be continued as an actuary of any such society by which at the said date he is employed as actuary.

4. *The Ontario Insurance Act* is amended by adding thereto the following section:—

Claim of fraudulent or illegal acts.

97a.—(1) If there is filed with a judge of the county or district court of the county or district in which the head office of a provincial company is situate, a requisition bearing the signatures, addresses and occupations of at least fifty members or shareholders of the company or of claimants or persons entitled to claim or having insurable interests under contracts of the company alleging specific fraudulent or illegal acts on the part of the company or any of its directors or officers, and stating the particulars thereof, the judge shall appoint a time and place for and conduct an enquiry into the truth of the said allegations.

- (2) Before the inquiry is proceeded with the judge, <sup>Security of</sup> upon the application of the company or any person charged with fraudulent or illegal acts may order that the persons signing the requisition give security in a sum not exceeding \$500 for the costs of the enquiry in such form and to such amount as the judge may deem proper.
- (3) For the purpose of the enquiry the judge shall have <sup>Rights of</sup> all the rights and powers which may be conferred upon a commissioner or commissioners under the provisions of *The Public Enquiries Act*.
- (4) The judge may order by and to whom the costs of <sup>Effect of</sup> the enquiry shall be payable and every bill of costs shall be taxable before the taxing officer or the local registrar of the Supreme Court of Ontario, and the certificate of such taxing officer or local registrar shall be entered as a judgment of the Supreme Court of Ontario and execution may be issued thereon as in other cases.
- (5) The judge shall make a written report of his findings on the enquiry which report shall be filed in <sup>Report of</sup> the office of the Department of Insurance. <sup>judge to be</sup> filed in <sup>Department</sup> of Insurance

## CHAPTER 61.

## An Act to amend The Loan and Trust Corporations Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title,

**1.** This Act may be cited as *The Loan and Trust Corporations Act, 1921*.

Rev. Stat.,  
c. 184, s. 17;  
1919, c. 42,  
s. 6,  
repealed.

**2.** Section 17 of *The Loan and Trust Corporations Act*, as amended by *The Loan and Trust Corporations Act, 1919*, is repealed and the following substituted therefor:—

Trust companies not to borrow on debentures, etc.

17.—(1) A trust company incorporated under the laws of Ontario shall not have power to borrow money by issuing debentures or debenture stock, but where money is received by the company for the purpose of its being invested by the company, the guarantee by the company of the repayment of the same or of the payment of the interest thereon at such rate as may be agreed upon on fixed days shall not be deemed to be a debenture nor shall the money be deemed to be money borrowed by the company by issuing debentures but to be money received in trust.

Guarantee receipts not to be deemed debentures.

(2) A trust company incorporated under the law of Ontario shall not have power to take deposits by way of borrowing money and all deposits received by such a trust company shall be subject to the provisions hereinafter contained.

Trust companies not to borrow by accepting deposits.

Rev. Stat.,  
c. 184,  
amended.

**3.** *The Loan and Trust Corporations Act* is amended by adding the following section thereto:—

Investment of funds received on guarantee receipts or

17a.—(1) All moneys received by a trust company for guaranteed investment as set out in subsection 1

of

of section 17, and as deposits as set out in subsection 2 of section 17 and subsection 2a of section 18 shall be invested in or loaned upon such securities only as are authorized by *The Trustee Act*. Rev. Stat., c. 121.

- (2) Where it is provided by the agreement under which moneys are received by the company for guaranteed investments as mentioned in subsection 1 of section 17 that specific securities shall be allocated in respect thereof, such securities shall be ear-marked and definitely set aside in respect thereof, and in respect of all other moneys received for guaranteed investments as mentioned in subsection 1 of section 17 there shall be ear-marked and definitely set aside in respect thereof securities including loans made upon securities or cash including moneys on deposit with any chartered bank of Canada, and securities including loans made upon securities equal to the full aggregate amount thereof. Securities allocated to guaranteed investments,

- (3) A sworn return shall be made to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing all such securities, loans upon securities and cash, if any, as the same stood at the end of the last preceding month and stating that the same have been ear-marked and definitely set aside in respect of moneys received by the company for guaranteed investment as set out in subsection 1 of section 17. Quarterly returns as to guaranteed investments.

4. Subsection 2 of section 18 of *The Loan and Trust Corporations Act* is repealed and the following subsections substituted therefor:— Rev. Stat., c. 184, s. 18, subs. 2, repealed.

- (2) A trust company may invest or loan any money held by it other than trust money in or upon any of the securities authorized by section 27 of this Act or *The Trustee Act*, and may loan any trust money held by it upon any securities authorized by *The Trustee Act*. Investment of funds other than trust funds. Rev. Stat., c. 121.

- (2a)—(a) A trust company incorporated under the law of Ontario may; and Deposits—power to receive.

- (b) Any other trust company registered under this Act which has capacity to do so under its Act

or

or other instrument of incorporation; may with-  
in Ontario and subject to complying with sec-  
tion 17a,

receive deposits of money repayable upon demand or  
after notice and bearing interest at such rate  
as may be agreed upon between the company and  
depositor and the company shall be entitled to  
retain the interest and profit resulting from the  
investment or loaning of said deposit moneys  
in excess of the amount of interest payable to  
depositors.

To be  
deemed  
trust  
moneys  
and to be  
guaranteed.

(2b) Every trust company receiving deposits in the  
manner authorized by the next preceding sub-  
section shall be deemed to hold the same as  
trustee for the depositors and to guarantee re-  
payments thereof and there shall be ear-marked  
and definitely set aside in respect thereof securi-  
ties, including loans made upon securities or  
cash, including money on deposit with any chart-  
ered bank of Canada, and securities including  
loans made upon securities, equal to the full  
aggregate amount thereof.

Quarterly  
return as  
to deposits.

(2c) Every trust company receiving deposits in the  
manner authorized by subsection 2a shall make  
a sworn return to the registrar quarterly on  
the 15th days of January, April, July and  
October in each year, drawn in accordance with  
the form prescribed from time to time by the  
registrar, showing the amount of such deposits  
and showing all securities and cash ear-marked  
and definitely set aside as provided in subsection  
2b and stating that the same were at the date  
mentioned in such return so ear-marked and  
definitely set aside and showing the amount of  
cash on hand and on deposit with any chartered  
bank of Canada and the amount of debentures,  
bonds, stock or other securities of or guaranteed  
by the Dominion of Canada and of or guaran-  
teed by any province of Canada, less any in-  
cumbrances thereon and the amount of bonds,  
debentures and other securities of any municipal  
corporation in Ontario, less any incumbrances  
thereon, and the principal amount of any moneys  
payable to the company on demand, the payment  
of which is secured by the mortgage or pledge  
of any of the Government, Government guaran-  
teed

teed or municipal securities, hereinbefore in this subsection mentioned as the said amounts stood at the end of the last preceding month and stating that the same were at the date mentioned in such return, on hand and available for depositors.

- (2d) Every trust company receiving moneys on deposit under the provisions of this section shall keep a special register in the form approved by the registrar, in which shall be entered all sums so received and the names and addresses of the persons from whom received.
- Special register of deposits.

5. Subsection 1 of section 20 of *The Loan and Trust Corporations Act* is amended by striking out the words "shall be approved" at the end of the said subsection and inserting in lieu thereof the words "except in the manner authorized by this Act shall be approved," so that the subsection will read as follows:—

Rev. Stat., c. 184, s. 20, subs. 1, amended.

- (1) Where a trust company is authorized to execute the office of executor, administrator, trustee, receiver, liquidator, assignee, guardian or committee, and the Lieutenant-Governor in Council approves of such company being accepted as a trust company for the purposes of the Supreme Court, every court or judge having authority to appoint such an officer may, with the consent of the company, appoint such company to exercise any of such offices in respect of any estate or person under the authority of such court or judge, or may grant to such company probate of any will in which such company is named as an executor; but no company which has issued or has authority to issue debentures or debenture stock or which has received or has authority to receive deposits except in the manner authorized by this Act shall be approved.
- Approval of company as executor, etc.

6.—(1) Subsection 1 of section 30a of *The Loan and Trust Corporations Act*, as enacted by section 10 of *The Loan and Trust Corporations Act, 1919*, is amended by striking out the word "corporation" in the first line and substituting therefor the words "loan corporation incorporated under the law of Ontario," and by striking out the words "so invested or expended under either of said sections" in the fifth and sixth lines thereof and substituting therefor the words "at which the investment is carried on

1919, c. 42, s. 10, amended.

on the books of the corporation" so that the section as amended shall read as follows:—

Limit of  
amount  
invested in  
buildings of  
company.

- (1) Except as hereinafter provided a loan corporation incorporated under the law of Ontario shall not make or undertake any investment or expenditure after the passing of this Act under section 29 or section 30 which will cause the total amount at which the investment is carried on the books of the corporation to exceed fifteen per cent. of the paid-up capital and reserve funds of the corporation.

1919, c. 42,  
s. 10,  
amended.

- (2) Subsection 2 of said section 30a is amended by striking out the word "corporation" wherever the same appears in said subsection and substituting in lieu thereof the words "loan corporation," and by inserting the word "such" after the word "where" in the first line of said subsection, and by striking out the words "invested and expended by such corporation under either of the said sections 29 or 30" in the ninth, tenth and eleventh lines of said subsection and substituting therefor the words, "at which the investment is carried on the books of the loan corporation," so that the section as amended shall read as follows:—

Where such a loan corporation has already *bona fide* acquired land for the purpose of making additions, alterations or improvements to offices or buildings already owned by them or the erection of new buildings thereon, the loan corporation may, with the approval of the Lieutenant-Governor in Council make or undertake investments or expenditures for such purposes exceeding the amount provided for in subsection 1, but the total amount at which the investment is carried on the books of the loan corporation shall not, in any event, exceed 25 per cent. of the paid-up capital and reserve funds of the loan corporation.

- (3) The said section 30a is amended by adding the following subsection:—

- (3) A trust company incorporated under the laws of Ontario shall not make or undertake any investment or expenditure after the passing of this Act under section 29 or section 30 which will cause the total amount at which the investment is carried on the books of the company to exceed

exceed 25 per cent. of the paid-up capital and reserve funds of the company.

7. Subsection 4 of section 40 of *The Loan and Trust Corporations Act* is amended by inserting after the word "exceed" in the third line thereof the words "an amount equal to twice," and by striking out the words "and of" in the fifth line thereof and substituting therefor the words "plus the amount of," so that the subsection will read as follows:—

Rev. Stat.,  
c. 184, s. 40,  
subs. 4,  
amended.

- (4) The amount to be received by any corporation entitled as hereinbefore provided to receive deposits shall not at any time exceed an amount equal to twice the aggregate amount of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the corporation plus the amount of its cash actually in hand or in any chartered bank to the credit of the corporation and beneficially owned by the corporation and not included in either the permanent capital or reserve fund.

Limitation  
as to  
deposits.

8. *The Loan and Trust Corporations Act* is amended by inserting the following section:—

Rev. Stat.,  
c. 184,  
amended.

- 40a. Every loan company receiving deposits shall make a sworn return to the registrar quarterly on the 15th days of January, April, July and October in each year, drawn in accordance with the form prescribed from time to time by the registrar, showing the amount of such deposits and showing the amount of cash on hand and on deposit with any chartered bank of Canada and the amount of debentures, bonds, stock or other securities of or guaranteed by the Dominion of Canada, and of or guaranteed by any province of Canada less any incumbrances thereon and the amount of bonds, debentures and other securities of any municipal corporation in Ontario, less any incumbrances thereon and the principal amount of any moneys payable to the company on demand, the payment of which is secured by the mortgage or pledge of any of the securities hereinbefore in this section mentioned as the said amounts stood at the end of the last preceding month, and stating that the same were at the date mentioned in such return on hand and available for depositors.

Quarterly  
return by  
loan com-  
pany as to  
deposits.

Rev. Stat.,  
c. 184, s. 41,  
subs. 2,  
repealed.

**9.**—(1) Subsection 2 of section 41 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor:—

Limit of  
borrowing  
powers of  
loan cor-  
porations.

(2) The total amount borrowed by a corporation on debentures and other securities and by way of deposits shall not exceed four times the aggregate amount of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the corporation, plus the amount of its cash actually on hand or in any chartered bank of Canada, to the credit of the corporation and beneficially owned by the corporation and not included in either the permanent capital or reserve fund.

Rev. Stat.,  
c. 184, s. 41,  
subs. 4,  
repealed.

(2) Subsection 4 of the said section 41 is repealed.

Rev. Stat.,  
c. 184,  
amended.

**10.** *The Loan and Trust Corporations Act* is amended by adding thereto the following as section 63a and section 63b:—

Power of  
attorney by  
company.

**63a.** A corporation incorporated under the law of Ontario may, by writing under its common seal, empower any person, either generally or in respect of any specified matters, as its attorney, to execute on its behalf, deeds to which it is a party in any capacity in any place situate within or without the Province of Ontario; and every deed signed by such attorney, on behalf of the corporation and under his seal, shall bind the corporation and have the same effect as if it were under the common seal of the corporation.

Power for  
company to  
have official  
seal for use  
abroad.

**63b.**—(1) A corporation incorporated under the law of Ontario may have for use in any territory, district or place not situate in the Province of Ontario an official seal, which shall be a facsimile of the common seal of the corporation, with the addition on its face of the name of every territory, district or place where it is to be used.

Authority  
to agent to  
affix seal.

(2) A corporation having such an official seal may, by writing under its common seal, authorize any person appointed for the purpose in any territory, district or place not situate in the Province of Ontario, to affix the same to any deed or other document to which the company is party  
in

in any capacity in that territory, district or place.

- (3) The authority of any such agent shall, as between the corporation and any person dealing with the agent, continue during the period (if any) mentioned in the instrument conferring the authority, or if no period is therein mentioned, then until notice of the revocation or termination of the agent's authority has been given to the person dealing with him.

Duration of agent's authority to bind company.

- (4) The person affixing any such official seal shall, by writing under his hand, on the deed or other document to which the seal is affixed, certify the date and place of affixing the same.

Certifying date and period of sealing.

- (5) A deed or other document to which an official seal is duly affixed shall bind the corporation as if it had been sealed with the common seal of the corporation.

Official seal to have same effect as common seal.

**11.** *The Loan and Trust Corporations Act* is amended by adding thereto the following sections:—

Rev. Stat., c. 184, amended.

- 139a.—(1) The registrar shall visit personally, or cause a duly qualified member of his staff to visit, at least once in each year the head office of each corporation registered under this Act, and examine carefully the statements of the condition and affairs of each such corporation and report thereon to the Minister as to all matters requiring his attention and decision.

Inspection of registered corporations.

- (2) For the purpose of such examination, the corporation shall prepare and submit to the registrar such statement or statements with respect to its business finances or other affairs of the corporation, in addition to the statement mentioned in any of the sections or subsections of this Act, as the registrar may require, and the officers, agents and servants of the corporation shall cause their books to be open for inspection and shall otherwise facilitate such examination so far as it is in their power.

Material to be furnished on inspection.

- (3) The registrar may examine under oath the officers, agents or servants of the corporation for the purpose of obtaining any information which he deems

Examination under oath.

- deems necessary for the purpose of such examination.

Special report where condition unsound.

139b.—(1) If as the result of the examination as aforesaid of any corporation registered under this Act the registrar believes that the assets of the corporation are insufficient to justify its continuance in business, he shall make a special report to the Minister on the condition of such corporation.

Suspension or cancellation of registry.

(2) If the Minister, after a reasonable time has been given to the corporation to be heard by him and upon such further inquiry and investigation as he may see fit to make, agrees with the opinion of the registrar, the Minister may suspend or cancel the registration of the corporation and the corporation shall thereupon, unless and until again registered, cease to transact or undertake business in Ontario, except so far as necessary for the winding up of its business; but any liability incurred by such corporation may be enforced against it as if such suspension or cancellation had not taken place.

## CHAPTER 62.

## An Act to amend The Ontario Telephone Act

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Telephone Amendment Act, 1921*.

**2.** Section 3 of *The Ontario Telephone Act, 1918*, is repealed and the following is substituted therefor:—

8 Geo. V,  
c. 31, s. 3,  
repealed.

## PART I.

*Telephone System Operated as a Public Utility.*

**3.** The corporation of every municipality may establish and carry on a telephone business as a public utility, and for the purposes of such business may construct, maintain and operate in, over, under, upon or across the highways, lanes, parks, squares and other public ways, passages and places in the municipality, or in, over, under, upon or across the land of any person therein, an underground or overhead or partly underground and partly overhead telephone system, and do all things necessary or convenient for that purpose.

Establishment and operation of telephone business as public utility.

**3a.** The corporation may for the purpose of establishing or carrying on such business acquire, by purchase or lease or, subject to the provisions of Part II in that behalf, may appropriate any telephone system in the municipality (hereinafter designated the initiating municipality) established under any former or other Act or under Part II.

Municipality may purchase, lease, or appropriate existing telephone systems.

Debentures  
of acquired  
system to  
be paid  
by muni-  
cipality.

- 3b. Where a system established under Part II is acquired by a municipality under section 3a the debentures theretofore issued under Part II and then outstanding and unpaid shall cease to be a charge upon the lands of the respective subscribers or any of them and the same as they mature and fall due and the interest upon them shall be met and paid by a rate to be imposed by the corporation upon all the rateable property in the municipality.

Right of  
passage  
where  
building  
has more  
than one  
owner or  
occupant.

- 3c. Where parts of any building in the municipality are owned or occupied by different persons the corporation may carry wires to any part of such building, and for that purpose may pass over or through or under the property belonging to any owner, or in the possession of any tenant or occupant.

Provisions  
of Rev.  
Stat., c. 204,  
to apply.

- 3d. The provisions of Part III and Part IV of *The Public Utilities Act* shall, *mutatis mutandis*, apply to a corporation so establishing and carrying on a telephone system and the words "public utility," where they occur in said Parts III and IV, shall include telephone service.

Power of  
municipality  
to pass  
by-law to  
borrow  
money for  
extension  
or acquisi-  
tion of  
system.

- 3e. Where a municipal corporation has heretofore constructed, purchased or acquired or hereafter constructs, purchases or acquires a telephone system under this Part or where such corporation has undertaken the construction, purchase or acquisition of a telephone system, and it appears that the cost of such construction, purchase or acquisition has exceeded or will exceed the amount already provided for that purpose or where it is deemed expedient by the council of such municipal corporation from time to time to construct an extension or extensions or any improvement or improvements of such telephone system, the council may pass a by-law or by-laws for borrowing such further or other sum or sums as may be necessary to extend, improve or complete such telephone system or the purchase or acquisition of the same or to meet the cost of extensions or improvements already made to such telephone system; and

Assent of  
electors  
not re-  
quired  
where  
by-law is  
passed by  
three-  
fourth  
vote of  
council  
and ap-  
proved by  
board.

- (a) The by-law shall not require the assent of the electors if it is passed by a vote of three-fourths of all the members of the council and is approved by the board; and  
(b)

- (b) Such approval may be given if it is shown to the satisfaction of the board that the expenditure proposed to be made for any such extension or improvement, or for the completion of such telephone system or such purchase or acquisition is necessary, and that a sufficient revenue or sufficient additional revenue will be derived therefrom to meet the annual payments in respect of such debt and the interest thereon.

3f. Sections 11, 12, 13, 24, 25, 26, 27, 27a, 28, 58, 59, 60, 61, 62 and 66 of Part II and Parts V and VI of this Act shall, *mutatis mutandis*, apply to a municipal corporation carrying on a telephone business as a public utility under this Part.

3. Section 16 of *The Ontario Telephone Act, 1918*, is amended by striking out the words "Part I" at the end thereof and substituting therefor the words "section 3."

4. *The Ontario Telephone Act, 1918*, is amended by adding the following as section 21a:—

21a. The initiating municipality may with the approval of the board and without obtaining the assent of the ratepayers, pass by-laws authorizing the issue of debentures to meet the cost of making an extension or extensions to the system for the purpose of furnishing service to persons not being assessed landowners, but before approving of any such by-law the board shall be satisfied that such extension or extensions is or are necessary and that a sufficient additional revenue will be derived therefrom to meet the annual payments of principal and interest in respect of the debt created by the issue of such debentures.

5. *The Ontario Telephone Act, 1918*, is amended by adding the following as section 27a:—

27a. When a municipality owning and operating or intending to own and operate a telephone system has taken proceedings under this Act to acquire a part of the telephone system of a municipality operating in such first named municipality or in an adjoining municipality and the parties are unable to agree upon the price to be paid for the same the board shall have

have full power and authority to settle the terms and conditions of such acquisition including the price to be paid and all other matters proper to be taken into consideration and adjusted in the premises.

8 Geo. V.  
c. 31.  
amended.

**6.** *The Ontario Telephone Act, 1918*, is amended by adding the following as section 57a:—

Quorum,  
proxies.

57a. The presence in person or by proxy of at least fifty subscribers or of one-fourth of all the subscribers shall be necessary to constitute a quorum at general meetings, and the instrument appointing a proxy shall be in writing under the hand of the appointer, or if such appointer is a corporation, under its common seal, and shall be attested by at least one witness, and no person shall be appointed a proxy who is not a subscriber.

8 Geo. V.  
c. 31.  
amended.

**7.** *The Ontario Telephone Act, 1918*, is amended by adding the following as sections 74a and 74b:—

By-laws  
to be ap-  
proved by  
board.

74a. A company may pass by-laws regarding the control and management of its undertaking, its dealings with the public and for the use, protection and care of its property, but no such by-laws shall have any force or effect or be acted upon until approved by the board.

Rev. Stat.,  
c. 178,  
ss. 162, 163  
and 164  
not to  
apply.

74b. The provisions of sections 162, 163 and 164 of *The Ontario Companies Act* shall not be applicable to telephone systems established under this Act.

8 Geo. V.  
c. 31,  
s. 95,  
repealed.

**8.** Section 95 of *The Ontario Telephone Act, 1918*, is repealed and the following substituted therefor:—

Prohibition  
against  
inter-  
ference  
with in-  
struments by  
individuals.

95.—(1) No person upon whose premises a telephone instrument, wiring or other equipment is installed shall use or interfere with or permit such telephone instrument, wiring or other equipment to be used or interfered with so as to injure or damage the same or so as to prevent the convenient use of the circuit to which such telephone instrument is connected for the transmission of telephone conversations or messages.

- (2) Any person guilty of a breach of this section shall <sup>Penalty.</sup> incur a penalty of \$25 for each offence, recoverable under *The Ontario Summary Convictions Act*.

9. Subsection 1 of section 105 of *The Ontario Telephone Act, 1918*, is amended by striking out all the words after the word "system" in the fifteenth line thereof. <sup>s Geo. V,  
c. 35,  
s. 105 (1),  
amended.</sup>

## CHAPTER 63.

## The Municipal Amendment Act, 1921.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.  
c. 192,  
amended.

**1.** *The Municipal Act* is amended by adding thereto the following as section 21a:—

Authority of  
Municipal  
Board to  
separate  
farm lands  
from towns  
and villages.

21a.—(1) Upon the application of the council of any town or village or of such number of the owners of any lands therein wholly used for farming purposes as shall represent at least three-fifths of the amount of the assessed value of all the lands proposed to be detached from such town or village the Municipal Board may, after hearing representatives of the town or village, and of the owners of such farm lands, and of the adjoining municipality to which it is proposed to annex the lands, make an order detaching such farming lands or any part thereof from the town or village and annexing the same to an adjoining municipality on such terms and conditions as to the adjustment of the assets and liabilities, and upon such other terms and conditions as may have been agreed upon between the municipalities interested, or in default of agreement as may be determined by the Board.

Adjustment  
of assets  
and liabilities  
to be  
determined  
by the  
Board.

(2) If the interest of the lands detached in the assets of the town or village from which they are detached exceeds its proportion of the liabilities thereof, that corporation shall pay to the corporation of the municipality to which the lands are annexed the amount of the excess, but if the lands' proportion of such liabilities exceeds its interest in such assets the corporation of the municipality to which the lands are annexed shall pay to the corporation of the town or village

lage from which the lands are detached the amount of the excess, and the order of the Board shall set out the amount to be paid by one municipality to the other accordingly.

**2.**—(1) Subsection 1 of section 53 of *The Municipal Act* is amended by adding thereto the following clause:—

Rev. Stat.,  
c. 192,  
s. 53 (1),  
amended.

(ee) A person other than the head of the council who is a member of a board or commission appointed or elected for the construction, management or control of an electrical railway, street railway or steam railway which is owned by, or leased to, or controlled by a municipal corporation, or by trustees, or by any board or commission acting for or on behalf of such corporation.

Disqualifica-  
tion of cer-  
tain persons  
as members  
of council.

(2) The amendment made by subsection 1 shall have effect notwithstanding the provisions of any general or special Act or any by-law of a municipal corporation.

Force of  
amendment.

**3.** Subsection 2 of section 209 of *The Municipal Act* is amended by adding thereto the following:

Rev. Stat.,  
c. 192,  
s. 209 (2),  
amended.

“and with the assent of the municipal electors, not exceeding for each member \$5,000 per annum.”

Salaries of  
members  
of Board  
of Control.

**4.** *The Municipal Act* is amended by adding the following as section 322a:—

Rev. Stat.,  
c. 192,  
amended.

322a.—(1) Any land acquired or taken by a corporation in exercise of the powers conferred by any general or special Act in excess of the land actually required for the opening, widening, extension or straightening of a highway may be used in or towards making compensation by way of restitution to the owner of other land taken for or in connection with the work, and the corporation may lawfully exercise such powers in pursuance of an agreement to that effect with such owner or with a view to making or proposing to make such an agreement.

Power to  
use excess  
land by way  
of com-  
pensation  
to owners.

(2) If in any arbitration proceeding to fix compensation for land taken by it the corporation shall offer to transfer or assure additional or other land to the owner by way of enlarging the remainder of his parcel or in substitution for his parcel

Offer to  
transfer  
excess land  
by way of  
compensa-  
tion to be  
considered  
by  
arbitrators;  
award to  
be binding.

parcel such offer shall be taken into account by the arbitrators and dealt with in the award, and if the award is based on such transfer being made the offer shall be binding on the corporation in the terms fixed by the award (subject to any right of appeal) and the offer and final award shall together constitute an agreement between the parties and the owner shall be entitled to have such additional or substituted land assured to him in accordance therewith.

Power of  
Municipal  
Board to  
order per-  
formance of  
agreement.

- (3) In such case upon the application of the corporation or of any interested party the Municipal Board may make such orders to compel the taking by the corporation of such additional land for the purposes of the agreement and concerning the compensation payable thereon and as to the vesting of the title to the land in accordance with the agreement as may be necessary to protect and enforce the rights of all parties interested.

Rev. Stat.,  
c. 192,  
s. 278 (3),  
amended.

- 5.**—(1) Subsection 3 of section 278 of *The Municipal Act* is amended by striking out the words “or a hospital” added thereto by 5 Geo. V, chapter 34, section 17.

Rev. Stat.,  
c. 192, s. 396,  
amended.

- (2) Section 396 of *The Municipal Act* is amended by striking out the words “or a hospital” added thereto by 5 Geo. V, chapter 34, section 21.

By-laws  
to aid  
hospitals  
passed  
since 1st  
January,  
1920, by  
majority  
of electors,  
validated.

- (3) Any by-law for granting a bonus in aid of a hospital which has, since the 1st day of January, 1920, been submitted to and received the assent of the majority of the electors who voted thereon and has heretofore been or may hereafter be passed by any municipal council shall be legal, valid and binding.

Rev. Stat.,  
c. 192, s. 398,  
para. 27,  
amended.

- 6.**—(1) Paragraph 27 of section 398 of *The Municipal Act* is amended by adding after the word “establishment” in the second line the word “maintenance,” and by adding at the end thereof the following words, “whether such hospitals are in the municipality or in an adjoining municipality.”

Rev. Stat.,  
c. 192,  
s. 297 (1),  
amended.

- (2) Subsection 1 of section 297 of *The Municipal Act* is amended by adding at the end thereof the words “and exclusive of any rate not exceeding two mills in the dollar for granting aid to public hospitals for the purposes mentioned in paragraph 27 of section 398.”

Rev. Stat.,  
c. 192, s. 398,  
amended.

- 7.**—(1) Section 398 of *The Municipal Act* is amended by inserting the following as paragraph 28b:—

28b.

28b. For the establishment of or for granting aid to the establishment of air harbours or landing grounds in compliance with the "Air Regulations, 1920," as issued by the Air Board of the Dominion of Canada, and such other regulations as may be issued from time to time by the said Air Board, and for granting aid for aeronautical research work and for the development and general advancement of the science of aeronautics and the use of air craft.

**Establishment of air harbours and landing grounds.**

(2) This section shall come into force and take effect on the day upon which it receives the Royal Assent.

8. Paragraph 2 of section 398a of *The Municipal Act* as enacted by section 11 of *The Municipal Amendment Act, 1919*, is amended by striking out the words "with the assent of the electors qualified to vote on money by-laws" and by adding at the end thereof the following as clause a:—

**Rev. Stat., c. 192, s. 398a, amended.**

(a) It shall not be necessary to obtain the assent of the electors qualified to vote on money by-laws if the by-law is approved by a vote of two-thirds of all the members of the council.

9.—(1) Section 399 of *The Municipal Act* is amended by adding thereto the following as paragraphs 73 and 74:—

**Rev. Stat., c. 192, s. 399, amended.**

#### *Coasting and Tobogganing.*

73. For prohibiting or regulating coasting or tobogganing on the highways.

**Coasting and tobogganing.**

#### *Spitting on Sidewalks, etc.*

74. For prohibiting spitting on sidewalks and pavements, and in the passages and stairways of and entrances to public buildings, and in buildings, halls, rooms and places to which the public resort, in street cars and public conveyances and in such other public places as may be designated in the by-law.

**Spitting on sidewalks, in public buildings, etc.**

(2) Paragraphs 9 and 46 of section 400 of *The Municipal Act* are repealed.

**Rev. Stat., c. 192, s. 400, pars. 9, 46, repealed.**

10. *The Municipal Act* is amended by inserting after section 399 the following as section 399a:—

**Rev. Stat., c. 192, amended.**

399a.

By-laws  
setting  
apart dis-  
tricts  
reserved for  
private  
residences,  
etc.

- 399a. By-laws may be passed by the councils of cities, towns and villages, and of townships abutting on an urban municipality;

*Establishing restricted districts or zones.*

1. For prohibiting the use of land or the erection or use of buildings within any defined area or areas or abutting on any defined highway or part of a highway for any other purpose than that of a detached private residence.
2. For regulating the height, bulk, location, spacing and character of buildings to be erected or altered within any defined area or areas or abutting on any defined highway or part of a highway, and the proportion of the area of the lot which such building may occupy.
  - (a) No by-law passed under this section shall apply to any land or building which on the day the by-law is passed is erected or used for any purpose prohibited by the by-law so long as it continues to be used for that purpose, nor shall it apply to any building in course of erection or to any building the plans for which have been approved by the city architect prior to the date of the passing of the by-law, so long as when erected it is used for the purpose for which it was erected.
  - (b) No by-law passed under this section shall come into force or be repealed or amended without the approval of the municipal board; but such approval may be given, as to the whole or any part of an area or highway affected, if it is shown to the satisfaction of the board that it is proper and expedient in view of:
    - (i) The purpose for which the original by-law was passed and the nature and class of occupancy and use of the land within the area or abutting on the highway at the time the by-law was passed;
    - (ii) Any change which may since have taken place affecting its suitability for such occupancy or use; and
    - (iii)

- (iii) The desirability of the proposed repeal or amendment in the interests of the owners of the land in the district affected and of the community as a whole.

**11.** Section 400 of *The Municipal Act* is amended by inserting after clause *c* of paragraph 3 the following as paragraph 3a:—

Rev. Stat.,  
c. 192,  
s. 400 (3),  
amended.

*Buildings—Heating*

- 3a. For regulating, controlling and inspecting the installation of all hot water and steam heating plants.

Regulation,  
etc., of  
heating  
plants.

**12.** Clause *b* of paragraph 3 of section 400 of *The Municipal Act* is amended by adding after the word “thereon,” in the sixth line of said paragraph the following words, namely: “or in the case of the extension or improvement of waterworks where it is made to appear to the said board that the net revenue derived from such waterworks justifies the construction of such extension or improvement.”

Rev. Stat.,  
c. 192, s. 400,  
subs. 3,  
amended.

**13.** Section 400 of *The Municipal Act* is amended by inserting after paragraph 4a the following as paragraph 4b:—

Rev. Stat.,  
c. 192, s. 400,  
amended.

- 4b. For regulating and governing the use of any building for purposes for which it may be structurally unsuited or which from the size or strength of its walls, supports or floors may render the same dangerous and for requiring the owner or occupant to obtain a permit from the architect or other municipal officer named in the by-law before putting any building to such use.

Restriction  
on use of  
buildings  
for purposes  
for which  
they are  
structurally  
unsuited.

**14.** Clause *a* of paragraph 45 of section 400 of *The Municipal Act* is amended by inserting after the word “cement” in the fourth line thereof, the words “or bricks or tiles.”

Rev. Stat.,  
c. 192,  
par. 45,  
amended.

**15.** Section 401 of *The Municipal Act* as amended by 8 Geo. V, c. 32, s. 8, is further amended by adding the following paragraphs:—

Rev. Stat.,  
c. 192,  
s. 401,  
amended.

- 13a. Every vendor of coal or coke with respect to which a weigh ticket has been issued under clause *b* of paragraph 13, shall be bound thereby, and shall not be entitled to demand, collect or recover from the purchaser the price of any greater quantity of

Vendor  
bound by  
weight  
shown on  
weigh  
ticket.

of coal or coke than that shown on such weigh ticket.

Penalty.

- 13b. Every such vendor, who demands, collects or receives from a purchaser the price of any greater quantity of coal or coke than that shown on such weigh ticket shall be guilty of an offence, and shall incur a penalty not exceeding \$20, recoverable under *The Ontario Summary Convictions Act*.

Rev. Stat.,  
c. 90.

Rev. Stat.,  
c. 192, s. 406,  
amended.

- 16.** Section 406 of *The Municipal Act* is amended by inserting after paragraph 7 the following as paragraph 7a:—

*Lodging-Houses and Lodging-House Keepers.*

Regulation  
of lodging  
houses and  
their  
keepers.

- 7a. For licensing, regulating and governing lodging-houses and the keepers of lodging-houses, and for fixing the fee not exceeding \$1 to be charged for the license and for revoking any such license.

- (a) For the purpose of this paragraph a “lodging-house” shall mean any house or building or portion thereof in which persons are harboured or received or lodged for hire for a single night or for less than a week at one time, or any part of which is let for any person to sleep in for any time less than a week, but shall not include a “standard hotel” within the meaning of *The Ontario Temperance Act*.

6 Geo. V.,  
c. 59.

Rev. Stat.,  
c. 192,  
s. 410,  
amended.

- 17.** Section 410 of *The Municipal Act* is amended by adding the following as paragraph 6:—

Membership  
in National  
Waterways  
Association.

6. For the corporation becoming a member of the National Waterways Association of Canada and paying the fees for such membership and for making contributions towards the expenses of such association and paying the expenses of delegates to any meeting of it or upon its business.

Rev. Stat.,  
c. 192,  
amended.

- 18.**—(1) *The Municipal Act* is amended by inserting after section 416a the following as section 416b:—

- 416b. By-laws may be passed by the councils of counties, cities and towns:

Licensing,  
etc., dry  
cleaners,  
pressers,  
etc.

1. For licensing, regulating and governing the business of dry cleaners, dry dyers, cleaners and pressers and persons engaged in those and

and similar businesses in which gasoline, carbon bisulphide, naphtha, benzine, benzol or other light petroleum or coal tar products or volatile or inflammable liquids are used.

2. For imposing and collecting a license fee from <sup>License fee.</sup> persons engaging in any such business.

3. For delegating to the architect or some other <sup>Issue of licenses.</sup> person the duty of issuing such licenses and signing the same on behalf of the municipality.

4. For authorizing the architect or some other <sup>Authority of architect, etc., to vary requirements in certain cases.</sup> person named to allow such variation from the standard requirements in the case of existing businesses as he may approve of where such variation will not, in his opinion, reasonably prejudice the safety of the public.

(2) Paragraph 4 of section 416 of *The Municipal Act* is <sup>Rev. Stat., c. 192, s. 416, par. 4, repealed.</sup> repealed.

**19.** Subsection 1 of section 424 of *The Municipal Act* is <sup>Rev. Stat., c. 192, s. 424 (1) amended.</sup> amended by striking out the figures "\$5" in the fourth line thereof and substituting therefor the figures "\$8."

**20.** Section 425 of *The Municipal Act* is amended by striking out the figures "\$300" in the third line thereof, and by substituting therefor the figures "\$500." <sup>Rev. Stat., c. 192, s. 425, amended. Remuneration of chairman of committees.</sup>

**21.** Section 428 of *The Municipal Act* is amended by adding after the figures "5,000" in the third line thereof the words "and the council of every county," and by striking out the words "except counties" in the eighth line. <sup>Rev. Stat., c. 192, s. 428 amended.</sup>

**22.** Subsection 4 of section 460 of *The Municipal Act* is <sup>Rev. Stat., c. 192, s. 460 (4), amended.</sup> amended by striking out the words "thirty days" in the sixth line and substituting the words "ten days."

**23.** Subsection 3 of section 479 of *The Municipal Act* <sup>Rev. Stat., c. 192, s. 479 (3), amended.</sup> is amended by striking out the words "*The City and Sub-urbs Plans Act*" and inserting in lieu thereof the words "*The Planning and Development Act.*"

**24.** *The Municipal Act* is amended by adding the following as section 504a:— <sup>Rev. Stat., c. 192, amended.</sup>

*Formation of Police Villages in Provisional Judicial Districts.*

Erection  
police  
villages in  
provisional  
judicial  
districts.

504a.—(1) A locality in an organized township or in two or more adjoining organized townships in a provisional judicial district may be erected into a police village by order of the Ontario Railway and Municipal Board.

Order of  
Railway  
Board on  
receipt of  
petition.

(2) The order may be made by the board on receipt of a petition signed by a majority of the freeholders of the locality whose names are entered on the last revised assessment roll, and by a sufficient number of the resident tenants of the locality whose names are entered on such roll to make up with such freeholders a majority of the whole number of freeholders and tenants whose names are so entered.

Area of  
police vil-  
lages in  
provisional  
judicial  
district.

(3) No police village shall be erected under this section until the locality described in the petition contains a population of not less than one hundred and fifty and has an area of not more than five hundred acres, but the board may increase the area of such village in the like manner and under the same circumstances as are set out in section 504 in the case of a police village situate in a county, and section 504 shall *mutatis mutandis* apply to proceedings under this section.

Provisions  
of Act re  
police vil-  
lages in  
counties  
to apply.

(4) All the provisions of this Act with regard to police villages in counties shall, so far as practicable, apply to a police village erected in a provisional judicial district.

Rev. Stat.,  
c. 192,  
s. 512 (2),  
amended.  
Rate of  
commuta-  
tion of  
statute

**25.** Subsection 2 of section 512 of *The Municipal Act* is amended by striking out the figures “\$1” in the fifth line thereof and substituting therefor the figures “\$3.”

## CHAPTER 64.

## An Act to amend The Local Improvement Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** Subsection 1 of section 3 of *The Local Improvement Act* is amended by adding the following as clause *n*:—

Rev. Stat.,  
c. 193,  
s. 3 (1),  
amended.

(*n*) Subject to the provisions of section 22*a* for re-surfacing with asphalt or other suitable material, a pavement having a concrete foundation which in the opinion of the engineer is sufficient therefor although the lifetime of the existing pavement has not expired.

Re-sur-  
facing  
pavement.

**2.** Subsection 1 of section 9 of *The Local Improvement Act* is amended by inserting after the word “by-law” in the third line thereof the words “or resolution.”

Rev. Stat.,  
c. 193,  
s. 9 (1),  
amended.

**3.** *The Local Improvement Act* is amended by adding the following as section 18*b*:—

Rev. Stat.,  
c. 193,  
amended.

18*b*. At any time after passing a by-law for establishing, extending, widening or diverting a highway, and before completion of the work, the council may apply to the municipal board for leave to pass an amending by-law providing for a deviation in the course or location of the highway as defined in the original by-law, and the board may make an order approving of and validating an amending by-law accordingly on such terms and conditions and after such hearing as it may consider proper, and subject to the terms of the order the provisions of this Act shall apply to such altered work as if it had been provided for in the original by-law.

Power of  
council to  
pass am-  
ending  
by-law; and  
of board  
to make  
order  
pursuant  
thereto.

Rev. Stat.,  
c. 193,  
amended.

4. *The Local Improvement Act* is amended by adding the following as section 22a:—

Assumption  
by corpora-  
tion of  
special as-  
sessments  
in certain  
case.

22a. Where the work undertaken is the resurfacing of a pavement as provided by clause *n* of subsection 1 of section 3 the corporation shall assume and pay the special assessments therefor charged against the lots fronting or abutting on the work until the expiration of the period within which such lots are specially assessed for the then existing pavement.

Rev. Stat.  
c. 193, s. 25,  
amended.

5. Section 25 of *The Local Improvement Act* is amended by adding at the beginning thereof the following words:—  
“Subject to the provisions of subsection 2,” and by adding the following as subsection 2:—

Assessment  
of cost of  
sidewalk  
in township  
on petition.

(2) On petition (sufficiently signed) of the owners on both sides of a street in a township praying that a sidewalk be constructed on one side only of the street and that a certain portion not exceeding one-third of the owners' share of the cost be assessed on the lots fronting or abutting on the other side of the street the council may specially assess the lands on the other side of the street in conformity with the petition, and if a sidewalk is thereafter constructed on the other side of the street the owners' portion of the cost shall be specially assessed in like manner.

Rev. Stat.,  
c. 193,  
amended.

6. *The Local Improvement Act* is amended by adding the following as section 27a:—

Power of  
council to  
grant  
owner  
reduced  
assessment  
by way  
of com-  
pensation.

27a.—(1) Where the work of acquiring, establishing, opening, widening, extending or diverting a street involves the taking of a portion of a lot abutting on the work, or of one or more of a number of lots or contiguous lots owned by the same person, the council may agree with the owner that in consideration of the dedication or gift of the land required to be taken or a release of or reduction in the owner's claim for compensation, the remainder of his lot or his remaining lots as the case may be shall be charged with no part or a specified portion or proportion only of the special assessment which would otherwise be chargeable thereon in respect of the

cost of the work, and the special assessment roll shall be prepared in conformity with such agreement notwithstanding anything to the contrary in this Act contained.

- (2) An appeal shall lie to the Court of Revision and to <sup>Appeal to</sup> the county judge from the action of the council <sup>Court of</sup> in like manner as an appeal lies under the provisions of this Act with regard to the cost of a <sup>Revision.</sup> work undertaken.

**7.** Sections 3 and 6 of this Act shall come into force <sup>Commence-</sup> and take effect on the day on which this Act receives the <sup>ment of</sup> <sup>part of</sup> Royal Assent. <sup>Act.</sup>

## CHAPTER 65.

## An Act to amend The Planning and Development Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

8 Geo. V.  
c. 33,  
amended.

**1.** *The Planning and Development Act* is amended by adding the following as section *12a*:—

Approval  
required  
before

*12a.* No highway shall be laid out in any urban zone or joint urban zone unless it has been approved by the council of each municipality in which the proposed highway or any part of it is situated, and by the council of any city, town or village which such urban zone or joint urban zone adjoins, or by the board.

## CHAPTER 66.

## An Act respecting Public Improvements and Services in Certain Suburban Areas.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Suburban Area Development Act, 1921.* Short title.

**2.** In this Act:—

Interpretation.

- (a) “Board” shall mean Suburban Service Board established under the provisions of this Act; “Board.”
- (b) “Municipal Service” shall mean and include sewage and sewage disposal, opening, widening, extending, paving, repairing and maintaining of a street or highway, street railway transportation, the supplying of light, heat or water for municipal purposes or for the use of the inhabitants, fire protection and police protection. “Municipal Service.”

**3.** The council of a township adjacent to a city may by by-law set apart any part of the township lying within a distance of five miles from the boundary of the city as a suburban area and may provide for the election of a board to be known as a suburban service board, consisting of five persons resident in the suburban area who shall be elected by the municipal electors within the suburban area in the same manner as nearly as may be as the members of a municipal council. Township, by-law for setting aside suburban area.

**4.** The members of the board shall be elected annually at the same time as the members of the township council. Annual election of board.

**5.** The board shall hold its first meeting at such time and place as shall be fixed by the by-law and shall be organized by the election of a chairman from among the members Meetings of board.

members of the board and the appointment of a secretary of the board who may be one of the members thereof.

Agreements  
between  
municipal  
corporation  
and board.

6. The municipal corporation of the city and the board may enter into agreements from time to time:—

- (a) For the extension or supply to the suburban area or to any part thereof of any municipal service in the city;
- (b) Prescribing the terms upon which such municipal service shall be extended or supplied and the amount of any payments to be made therefor, and the times of payment, and the rates, if any, to be chargeable to the users of any such municipal service in the suburban area;
- (c) For the settlement of any disputes or matters of difference which may arise with respect to the extension or supply of any such municipal service within the suburban area by the board or by any person or persons agreed upon;
- (d) For the management, control and operation of any municipal service so extended or supplied in the suburban area by the board or by a joint body composed of representatives of the board and the corporation of the city, or by any other person or commission or body of persons agreed upon by the board and the corporation of the city;
- (e) For the levying of an annual special rate within the suburban area to provide the sums necessary to meet the cost of any municipal service so extended or supplied.

Effect of  
approval of  
Ontario  
Railway  
and Muni-  
cipal Board  
of agree-  
ments.

7. The agreement shall not be acted upon or take effect until it has been submitted to and approved by order of the Ontario Railway and Municipal Board, and when so approved any agreement made or purporting to be made under the authority of this Act shall not be open to question in any action or other proceeding in any court, and any matters of difference arising with respect to the interpretation or operation of such agreement shall be determined by the Ontario Railway and Municipal Board.

Annual  
estimates  
to be sub-  
mitted to  
township  
council.

8. Where an agreement has been entered into under the authority of this Act the board shall annually prepare an estimate of the sums required to be raised within the suburban area

area to meet the payments called for under the agreement and shall submit the same to the council of the township.

**9.** The council shall cause to be levied in each and every year a special rate within the suburban area of all property liable to taxation therein to meet the sums so required, and the amount so raised shall be subject to the order of the board and shall be paid out of the treasury of the township from time to time as the board may direct, upon a requisition signed by the chairman of the board.

Special  
rate to be  
levied  
annually.

**10.** Where the agreement provides for the doing of any work in connection with the extension or supply of a municipal service under the provisions of *The Local Improvement Act* the council of the township shall pass all necessary by-laws and levy all special rates required to carry out the terms of the agreement.

Extension  
or supply  
of a municipal  
service.  
Rev. Stat.,  
c. 193.

## CHAPTER 67.

## The Assessment Amendment Act, 1921.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.  
c. 195, s. 5,  
par. 20,  
amended.

**1.** Paragraph 20 of section 5 of *The Assessment Act*, as amended by subsection 1 of section 1 of *The Assessment Amendment Act, 1920*, is amended by striking out the words “if such income does not exceed \$800, and the income of such person from all sources does not exceed \$1,500” in the last three lines thereof and substituting therefor the words “to the amount of \$800 where the income of such person from all sources does not exceed \$1,500.”

10-11 Geo.  
V, c. 63,  
s. 1 (1).

Rev. Stat.,  
c. 195, s. 10,  
(1) amended

**2.** Clause *a* of subsection 1 of section 10 of *The Assessment Act* is repealed and the following substituted therefor:

Distiller.

(a) Every person carrying on the business of a distiller for a sum equal to 150 per cent. of the assessed value of the land occupied or used by him for such business, exclusive of any portion of such land occupied or used by him for the distilling of alcohol solely and only for industrial purposes, and for a sum equal to 60 per cent. of the assessed value as to such last mentioned portion.

Rev. Stat.,  
c. 195,  
s. 10 (1),  
clause *e*  
amended.

**3.** Clause *e* of subsection 1 of section 10 of *The Assessment Act* is amended by inserting before the word “coal” in the seventh and fifteenth lines the word “retail.”

Rev. Stat.,  
c. 195, s. 16,  
amended.

**4.** Section 16 of *The Assessment Act* is amended by striking out the word “assessable” in the first line thereof.

Rev. Stat.,  
c. 195, s. 19a  
(10-11 Geo.  
V, c. 63, s. 5)  
amended.

**5.** Section 19a of *The Assessment Act*, as enacted by section 5 of *The Assessment Amendment Act, 1920*, is amended by striking out the figures “200,000” and inserting in lieu thereof the figures “100,000.”

6. *The Assessment Act* is amended by inserting after section 19a the following, as section 19b: Rev. Stat., c. 195, amended.

19b. Every agent, trustee, executor or person who collects or receives, or is in any way in possession or control of income for or on behalf of a person resident in Ontario shall, upon receipt of a notice from the assessor or Assessment Commissioner within ten days thereafter, deliver or mail to the assessor or Assessment Commissioner a statement in writing, setting forth the names and addresses of all such persons who are resident in the municipality who ought to be assessed for their income therein, together with the amount of income payable to him during the current year. Agents, etc., of residents in Ontario to forward statement of income of their principals.

If such income is not a fixed amount or capable of being estimated for the current year, the income to be returned for the purposes of assessment shall be taken to be not less than the amount of the income received during the year ending on the 31st day of December then last past.

7. Subsection 1 of section 61 of *The Assessment Act* is amended by adding thereto the following words: "if the only city in the county is the county town and the third member of the Court of Revision in any city, which is not the county town, shall be appointed by the municipal council of such city." Rev. Stat., c. 195, s. 61 (1), amended.

8. Section 118 of *The Assessment Act* is amended by inserting after subsection 1 the following, as subsection 1a: Rev. Stat., c. 195, amended.

(1a) Where any person makes application for the reduction or remission of taxes on a business assessment according to the provisions of subsection 1, the Court of Revision may direct that a proper proportion of the taxes be levied against the tenant who occupied the premises in the year in which the assessment was made, for the number of months during which the said tenant was in occupation, although the name of such tenant does not appear on the assessment roll in respect of said premises. Court of Revision may order tenant to pay taxes.

9. Section 228 of the said Act is amended by inserting after the word "before" in the second line the words "any assessor or." Rev. Stat., c. 195, s. 228, amended.

## CHAPTER 68.

## An Act to amend The Municipal Tax Exemption Act, 1920.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

10-11 Geo. V,  
c. 64, ss.  
3, 5 and 6,  
amended.

**1.** Sections 3, 5 and 6 of *The Municipal Tax Exemption Act, 1920*, are amended by striking out the words “qualified ratepayers” wherever they occur and substituting therefor the words “electors qualified to vote on money by-laws.”

10-11 Geo. V,  
c. 64, s. 8,  
amended.

**2.** Section 8 of *The Municipal Tax Exemption Act, 1920*, is repealed and the following substituted therefor:—

Assent of  
resident  
electors  
qualified  
to vote on  
money  
by-laws or  
only assent  
of resident  
ratepayers,  
on order of  
Lieutenant-  
Governor  
in Council.

**8.** In the case of an organized township in a Provisional Judicial District, the Lieutenant-Governor in Council may by order direct that the proposed by-law shall be submitted only to the resident electors qualified to vote on money by-laws for their assent, and in the case of a school section in an unorganized township that the proposed resolution shall be submitted only to the resident ratepayers for their sanction.

10-11 Geo. V,  
c. 64,  
amended.

**3.** *The Municipal Tax Exemption Act, 1920*, is amended by adding the following sections:—

Council  
shall, if  
petitioned  
by 10% of  
electors,  
submit  
by law to  
electors  
qualified to  
vote on  
money  
by-laws  
for their  
assent, and  
pass same  
if carried.

**10.** Where a petition signed by at least ten per cent. of the electors qualified to vote on money by-laws is presented to the council on or before the first day of November in any year, praying for the submission of a by-law under this Act and setting out in the petition the percentage of exemption desired each year, it shall be the duty of the council to submit a by-law in conformity with the petition to the electors qualified to vote on money by-laws on the day fixed for holding

the

the poll at the next annual municipal election, and if the voting is in favour of the by-law it shall be the duty of the council to forthwith pass the by-law, and such by-law shall not be repealed except as provided in section 11.

11. If a petition asking for the repeal of a by-law passed under the authority of this Act and signed as required by section 10 is presented to the council on or before the first day of November in any year, it shall be the duty of the council to submit the question of the repeal of the by-law to the electors qualified to vote on money by-laws on the day fixed for holding the poll at the next annual municipal election, and if the voting is in favour of the repeal of the by-law, it shall be the duty of the council to pass a by-law decreasing for the following year, and from year to year thereafter, the percentages of exemption in the same proportion in which they were increased from year to year under the original by-law until the exemptions provided by the original by-law have been wholly removed.
- Provision  
for repeal of  
the by-law  
on petition.

## CHAPTER 69.

## An Act to amend The Statute Labour Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,  
c. 196,  
amended.

**1.** *The Statute Labour Act* is amended by adding the following as section 31a:—

Commuta-  
tion of  
statute  
labour in  
townships  
where ap-  
proved by  
landholders.

31a.—(1) The commissioners may by resolution direct that a sum not exceeding \$3 per diem shall be paid as commutation of statute labour for the whole of the township; provided however, that such resolution shall not take effect until the same has been submitted to and sanctioned by the majority of the land holders present at the annual meeting or at a special meeting called in the manner provided for in this Act for the election of commissioners.

(2) The name of every person liable for the payment of the commutation shall be entered in the book directed to be kept by section 34, and the commissioners shall expend all commutation moneys received on the roads upon which the labour which is commuted for should have been performed.

## CHAPTER 70.

## An Act to amend The Community Halls Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Community Halls Amendment Act, 1921.* Short title.

**2.** Section 10 of *The Community Halls Act, 1920*, is 1920. c. 72, s. 10, amended by adding the words “continuation school or high school in a township or incorporated village” after the word “school” in the second line thereof, and the words “continuation school or high school” after the word “school” Arrangements with school boards. in the eighth line thereof.

**3.** The said Act is further amended by adding thereto the following section:— 1920, c. 72, amended.

13.—(1) In territory without municipal organization a community hall or athletic field may be established with the approval of the Minister and subject to the regulations, by a board of public school trustees or a board of separate school trustees in connection with any school maintained by such board. Establishment of community hall or athletic field in unorganized territory.

(2) Where a community hall or athletic field is established under subsection 1, the property shall be vested in the board of school trustees, and the like grant may be payable to the school trustees as in the case of a community hall or athletic field established in a municipality and the terms of this Act shall otherwise apply. Property to be vested in school board.

## CHAPTER 71.

## An Act to amend The Public Parks Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat.,  
c. 203, s. 5,  
amended.

**1.** Section 5 of *The Public Parks Act* is amended by striking out the following words: “on the nomination of the head, but the council may refuse to appoint any or all of the persons so nominated, in which case further nominations shall be made by the head, until six persons are nominated who are approved by the council.”

## CHAPTER 72.

## An Act to amend The Motor Vehicles Act

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Motor Vehicles Amendment Act, 1921.* Short title.

**2.** Subsection 2 of section 9 of *The Motor Vehicles Act* Rev. Stat., c. 207, s. 9 (2), amended. is amended by adding thereto the words “and the view thereof shall not be obscured or obstructed by spare tires, bumper bars, or by any part of the motor vehicle or attachments thereto, or by the load carried.

**3.** Subsection 3 of section 9 of *The Motor Vehicles Act*, Rev. Stat., c. 207, s. 9 (3), amended. as enacted by 7 Geo. V, chapter 49, section 6, is repealed and the following substituted therefor:—

(3) It shall be unlawful to carry on any motor vehicle Prohibition against light revolving on pivot. on a highway any lamp which revolves upon a pivot or other device so that the rays of such light may be projected in different directions by an occupant of the vehicle, but this shall not prevent a motor vehicle of a municipal fire department from carrying such a lamp for use only at the actual scene of a fire.

**4.** Section 9 of *The Motor Vehicles Act* is amended by Rev. Stat., c. 207, s. 9, amended. adding thereto the following subsection:—

(6) Any person not the owner of the car who defaces Penalty for defacing or removing marker. or alters a marker properly issued for such car, or who without the authority of the owner of the car removes a marker therefrom, or who attaches thereto a marker not issued for such car by the Minister of Public Works and Highways, shall be guilty of an offence, punishable under section 24 of this Act.

Rev. Stat.,  
c. 207,  
s. 11,  
amended.

5. Subsection 1 of section 11 of *The Motor Vehicles Act* is amended by adding at the end thereof the following words: "The council of any city, town or village may pass a by-law prohibiting a motor vehicle from being driven at a greater rate of speed than fifteen miles an hour within any public park or exhibition ground, provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call."

Rev. Stat.,  
c. 207,  
s. 16 (2),  
amended.

6. Subsection 2 of section 16 of *The Motor Vehicles Act* is amended by adding at the end thereof the words, "provided that this subsection shall not apply to a motor vehicle of a municipal fire department while proceeding to a fire or answering a fire alarm call."

9 Geo. V,  
c. 57, s. 4,  
amended.

7. Section 18*b* of *The Motor Vehicles Act*, as enacted by 9 Geo. V, c. 57, s. 4, is amended by adding thereto the following subsections:—

License  
required  
for  
garage.

(4) No person shall store or deal in motor vehicles, or conduct what is known as a garage business, without having been licensed so to do by the Department of Public Highways.

(5) The fee for the license shall be such as may be fixed from time to time by order of the Lieutenant-Governor in Council on the recommendation of the Minister of Public Highways.

Rev. Stat.,  
c. 207,  
s. 24 (1),  
amended.

8. Subsection 1 of section 24 of *The Motor Vehicles Act* is amended by striking out the words and figures, "subsection 1 of section 9" in the second line, and substituting the words and figures, "subsections 1, 5 and 6 of section 9."

## CHAPTER 73.

## An Act to amend The Ontario Temperance Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Temperance Amendment Act, 1921.* Short title.

**2.** Subclause ii of clause i of section 2 of *The Ontario Temperance Act* is amended by striking out the words “in a city” in the third and fourth lines thereof. 1916, c. 50, s. 2, amended.

**3.** Section 46 of *The Ontario Temperance Act* is repealed and the following substituted therefor:— 1916, c. 50, s. 46, repealed.

46. Nothing herein contained shall prevent any person from having liquor for export sale in a bonded liquor warehouse or from selling such liquors from such bonded liquor warehouse to persons in other provinces or in foreign countries. Bonded liquor warehouse.

(a) The term “bonded liquor warehouse,” as used in this section, shall mean a place where liquor is lawfully lodged, kept and secured under the authority of the Statutes of the Parliament of Canada. “Bonded liquor warehouse.”

**4.** Subsection 6 of section 52 of *The Ontario Temperance Amendment Act, 1917*, as re-enacted by section 21 of *The Ontario Temperance Amendment Act, 1919*, and amended by section 19 of *The Ontario Temperance Amendment Act, 1920*, is repealed and the following substituted therefor:— 1917, c. 50, s. 52, subs. 6, amended.

(6) This section shall have effect during the year 1921 and until the close of the Session of the Legislature next following. Duration of moratorium.

1916, c. 50,  
s. 70, subs. 2,  
amended.

5. Subsection 2 of section 70 of *The Ontario Temperance Act* is amended by adding after the word "elsewhere" in the fourth line the words "or in any boat on the inland waters of Canada within the Province of Ontario" and by adding after the word "vehicle" in the sixth line the words "or boat".

1916, c. 50,  
ss. 92-95,  
repealed.

6. Sections 92, 93, 94 and 95 of *The Ontario Temperance Act*, as amended, are repealed and the following substituted therefor:—

Appeal to  
judge of  
county or  
district  
court.

92.—(1) Any person convicted under this Act may, subject to the provisions hereinafter mentioned, appeal from the conviction to the judge of the county or district court of the county or district in which the conviction or order is made, sitting in chambers without a jury, if a notice of such appeal is given to the prosecutor or complainant and to the convicting magistrate within ten days of such conviction.

Affidavit  
to be  
delivered  
with  
notice of  
appeal.

(2) There shall be delivered to the convicting magistrate, with such notice of appeal, an affidavit of the person convicted complying with the requirements set out in section 94 hereof.

Judge,  
meaning of.

(3) The term "judge" as used in this Act shall mean judge or acting judge of the county or district court of a county or district, and shall include a junior judge acting at the request or in the case of the illness or absence of the judge.

Where fine  
has been  
paid.

(4) In case the appellant has paid the fine and costs imposed upon him by the convicting magistrate he may, subject to the conditions set out in subsections 1 and 2 hereof and the deposit of \$100 with the magistrate to answer the respondent's costs, appeal against such conviction to the judge having jurisdiction in the matter who shall hear and determine such appeal as provided in subsections 11 and 12 hereof.

Recogniz-  
ance.

(5) Subject to the next following subsection, the person convicted, if he is in custody, shall either remain in custody until the hearing of such appeal before the judge, or he may, notwithstanding any order of imprisonment either in the first instance or in default in the payment of a fine, enter into a recognizance with two sufficient sureties in such sum or sums as the magistrate with

with the approval of the crown attorney may fix, conditioned personally to appear before the judge and to try such appeal and abide by his judgment thereupon, and also to pay any penalty in money and costs which the judge may order.

- (6) Where the appellant desires to deposit a sum of money instead of providing sureties he may do so on entering into a recognizance on his own behalf and depositing an amount approved by the convicting magistrate and the crown attorney, not being less than a surety would be required to become responsible for and any money so deposited shall be available for the payment of any fine and costs which the judge may think fit to impose. Money deposit in lieu of recognizance.
- (7) In any case in which security is provided, whether in money or otherwise, the same shall not be withdrawn until the time has elapsed for entering an appeal, and in case of a further appeal the security shall remain until the final disposition of the case. When security may be withdrawn or cancelled.
- (8) Upon the recognizance being entered into or deposit made, the magistrate shall liberate such person if in custody and shall immediately thereafter deliver or transmit to the judge appealed to, by registered post, the depositions and all other papers in the case including the notice of appeal and the affidavit of the appellant, with a certificate signed by the magistrate in the form hereinafter mentioned, and such certificate shall be deemed to be part of the record. Liberation of appellant on completing security. Transmission of papers to judge.
- (9) The said certificate shall be in the following form: Certificate of magistrate with return.

*Certificate of Magistrate.*

A notice having been served upon me, the undersigned, of the intention of the defendant to appeal against my decision in the case set out in the information mentioned below, I herewith in pursuance of the Statute, return the following papers therein:

1. Notice of appeal and affidavit (if any).
2. Information.

3.

3. Summons or warrant issued thereon.
4. The evidence.
5. The conviction or order (as the case may be.)
6. Other papers (if any), naming them.

And I hereby certify to the judge of the county (or district) court of the county (or district) of \_\_\_\_\_ that I have above truly set forth all the papers and documents in my custody or power relating to the matter set forth in the said notice of appeal.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1921.

Police Magistrate.

(or) Justice of the Peace.

In and for the (as the case may be).

Fee of  
clerk of  
court.

- (10) The appellant shall pay to the clerk of the county or district court for his attendance and services in connection with such appeal the sum of \$2 and the same shall be taxed as costs in the cause.

Summons  
to be  
issued by  
judge.

- (11) Within fifteen days from the service of the notice of appeal the judge shall grant a summons calling upon all parties to attend before him at his chambers on the day and hour named therein when the hearing of the appeal will be proceeded with.

Appeal  
to be on  
evidence  
before  
magistrate.

- (12) The appeal shall be heard and determined upon the evidence and proceedings had and taken before the magistrate to be called the record, and the judge may, upon such hearing, make such order as he may think fit affirming, reversing or amending the order appealed from, and may impose such fine and costs or other penalty as is provided by this Act, and the order so made shall have the same effect and be enforced in the same way as if made by the magistrate whose order is appealed from.

- (a) The term "order," as used in this subsection shall be deemed to include a conviction and also any order made under section 70 of this Act.

- (13) The practice and procedure upon such appeals <sup>Application of Rev. Stat., c. 90.</sup> and all proceedings thereon, shall, except as hereinbefore provided, be governed by *The Ontario Summary Convictions Act* so far as the same is not inconsistent with this Act.

93. Any informant or complainant dissatisfied with an <sup>Appeal from order of dismissal.</sup> order of dismissal made by a magistrate under this Act may, with the consent of the Attorney-General, procured within fifteen days of the date of the order of dismissal, appeal to the judge of the county or district court in the county or district in which the order complained of was made, and the proceedings shall be the same as nearly as may be as in the case of an appeal by a person convicted under this Act, and the judge shall have and may exercise the same powers as in the case of an appeal against a conviction, and may make such order as he may think fit and the deposit of security in such case shall be dispensed with.

94. No appeal shall lie from a conviction for any viola- <sup>Affidavit of bona fides.</sup> tion or contravention of any of the provisions of this Act unless the party appealing shall, with his notice of appeal, deliver to the magistrate who tried the case, an affidavit that he did not by himself or by his agent, servant or employee or any other person with his knowledge or consent commit the offence charged in the information, and such affidavit shall negative the charge in the terms used in the conviction, and shall further negative the commission of the offence by the agent, servant or employee of the accused or any other person with his knowledge or consent, which affidavit shall be transmitted with the conviction and other papers to the judge to whom the appeal is made, provided that where the appeal is only as against the penalty imposed by the magistrate the affidavit required by this section shall not be necessary.

- 95.—(1) At any time within fifteen days from the <sup>Appeal to Divisional Court.</sup> date of the judgment or order of any judge of a county or district court arising out of or under this Act, the Attorney-General may direct an appeal to a divisional court of the Appellate Division of the Supreme Court of Ontario upon any question touching the validity or invalidity of

of any Act of this Legislature or of any part thereof, or from the judgment or order of a judge of the county or district court in any other case arising out of or under this Act in which the Attorney-General of Ontario certifies that he is of opinion that the matters in dispute are of sufficient importance to justify an appeal.

Notice of  
appeal.

- (2) Such appeal shall be had upon notice thereof to be given to the opposite party of the intention to appeal setting forth the grounds of such appeal.

Certifying  
proceedings  
to court.

- (3) The clerk of the county or district court shall certify the judgment, conviction, orders and all other proceedings to the proper officer of the Supreme Court at Toronto for use upon the appeal.

Hearing  
and deter-  
mination  
of appeal.

- (4) The Divisional Court shall thereupon hear and determine the appeal and shall make such order for carrying into effect the judgment of the court as the court shall think fit.

1916, c. 50,  
amended.

7. *The Ontario Temperance Act* is amended by adding thereto the following section.

Amendment  
of s. 139 in  
conformity  
with pro-  
hibition of  
importation.

- 139a. In the event of the importation of intoxicating liquor into the Province of Ontario for beverage purposes being prohibited under the provisions of sections 153 and 154 of *The Canada Temperance Act* as enacted by chapter 8 of an Act passed by the Parliament of Canada in the tenth year of the reign of His Majesty, King George V, section 139 of *The Ontario Temperance Act* shall, upon the issue of the proclamation of the Lieutenant-Governor in Council provided for by section 10 of *The Liquor Transportation Act, 1920*, be deemed to be amended to the extent necessary to give full effect to the said prohibition and to the provisions of the said last-mentioned Act.

1917, c. 50,  
s. 51,  
repealed.

Sale of  
temperance  
beers, etc.

8. Section 146a of *The Ontario Temperance Act* as enacted by section 51 of *The Ontario Temperance Amendment Act, 1917*, is repealed and any by-laws passed thereunder are repealed.

1920, c. 80,  
s. 6, cl. d,  
amended.

9. Clause d of section 6 of *The Liquor Transportation Act, 1920*, is amended by striking out the words and figures "section 154 of *The Ontario Temperance Act*" in the fourth

fourth and fifth lines thereof and substituting therefor the following words, “ of *The Ontario Temperance Act* or section 30 of *The Ontario Temperance Amendment Act, 1918.*”

**10.** This Act shall come into force on the 1st day of <sup>Commence-</sup>  
June, 1921. <sub>ment of</sub>  
<sub>Act.</sub>

## CHAPTER 74.

## An Act to amend The Public Health Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Public Health Amendment Act, 1921.*

Rev. Stat.,  
c. 218, s. 21.  
amended.      **2.** Section 21 of *The Public Health Act* is repealed and the following section substituted therefor:—

Payment  
of local  
boards in  
townships.      21. The council of a township may by by-law provide for the payment to each member of the local board and to the secretary of a sum not exceeding \$4 for every attendance at meetings of the board and his necessary travelling expenses in going to and returning from such meetings.

Rev. Stat.,  
c. 218, s. 35.  
amended.      **3.** Section 35 of *The Public Health Act* is amended by adding thereto the following subsections:—

Assistant  
medical  
officers, ap-  
pointment.      (3) The council of a city having a population of 100,000 or over may appoint an assistant medical officer of health, or more than one assistant medical officer of health, who shall act under the direction of the medical officer of health, and while so acting shall have all the powers and perform the same duties as the medical officer of health.

Medical  
officers for  
townships.      (4) The council of a township, with the approval of the Provincial Board of Health, may appoint for any stipulated time more than one medical officer of health for the township and may limit the territory within which each of such officers shall act, and every such medical officer of health shall, within the territory for which he is appointed, have and perform the powers and duties of a medical officer of health as set out in this Act or in any by-law passed thereunder and in force in the municipality.

4. Section 94 of *The Public Health Act*, as amended by <sup>Rev. Stat.,</sup> section 47 of *The Statute Law Amendment Act, 1914*, and <sup>c. 218, s. 94,</sup> amended.  
as further amended by section 10 of *The Public Health Amendment Act, 1918*, is further amended by adding thereto the following subsection:—

- (16) Where a sewage disposal plant or any connection therewith is constructed by an urban municipality in a township the council of the urban municipality and the council of the township may enter into an agreement for the connecting with and user of such sewage disposal plant or connections by the township municipality and residents thereof on such terms as may be mutually agreed upon.
- Agreement  
between  
urban and  
township  
municipalities.

## CHAPTER 75.

## An Act to amend The Dairy Standards Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Dairy Standards Amendment Act, 1921.*

1916, c. 52,  
s. 3, subs. 1,  
amended.  
Basis of  
payment.      **2.** Clause *b* of subsection 1 of section 3 of *The Dairy Standards Act* is amended by adding thereto the words, “in the case of milk received for cheese-making only.”

1916, c. 52,  
s. 5,  
repealed.      **3.** Section 5 of *The Dairy Standards Act* is repealed and the following substituted therefor:—

Penalty.      **5.** Any person who violates any of the provisions of this Act or any regulation made under this Act, or who falsifies any records, or over-reads or under-reads the Babcock test or who in any way makes incorrect determinations of fat shall incur a penalty of not less than \$25 nor more than \$100.

1916, c. 52,  
s. 6,  
repealed.      **4.** Section 6 of *The Dairy Standards Act* is repealed and the following substituted therefor:—

Pasteuriza-  
tion.      **6.** When the whey, skim milk or other by-product of a factory is to be used for feeding purposes it shall be properly pasteurized.

1916, c. 52,  
amended.      **5.** *The Dairy Standards Act* is amended by adding thereto the following section:—

Appointment  
of  
Inspectors      **7a.** The Minister may appoint inspectors under this Act to carry out the provisions thereof, and all inspectors so appointed shall have access to all factories and records necessary in the performance

ance of their duty, and any person obstructing any such inspector in the performance of his duty shall be subject to a penalty of not less than \$25 nor more than \$100.

6. Section 10 of *The Dairy Standards Act*, as amended by chapter 52, Ontario Statutes, 1917, is hereby repealed and it is hereby provided that *The Dairy Standards Act*, as amended by this Act, shall come into force on the first day of January, 1922.

1916, c. 52,  
s. 10,  
repealed.  
Commence-  
ment of  
Act.

## CHAPTER 76.

## An Act to amend The Factory, Shop and Office Building Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Factory, Shop and Office Building Amendment Act, 1921.*

Rev. Stat.,  
c. 229, s. 18,  
amended.

**2.** Section 18 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following subsection:—

Inspectors' duties  
as to enforcement  
of "Minimum Wage  
Act."  
1920, c. 87.

(6) It shall be the duty of every inspector appointed under this Act to report any violation of section 21 of *The Minimum Wage Act* to the Minimum Wage Board.

Person  
under 14  
not to be  
employed  
in shop.

**3.** Notwithstanding anything contained in *The Factory, Shop and Office Building Act*, no person under the age of fourteen years shall be employed in any shop as defined in the said Act, but this shall not apply to any shop where only members of the employer's own family dwelling in a house to which the shop is attached are employed at home.

Rev. Stat.,  
c. 229, s. 30,  
amended.

**4.** Section 30 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following subsection:—

Seats to  
be provided  
for female  
employees  
in factories  
and offices.

(1a) Where in the opinion of the inspector the whole or a substantial portion of the work upon which female employees are engaged in any department of a factory or office in which women or young girls are employed can be efficiently performed while such female employees are seated, the employer shall provide such chairs or seats as may be directed in writing by the chief inspector.

**5.** Nothing in *The Factory, Shop and Office Building Act* contained shall be deemed to authorize or excuse the employment of any child, youth, young girl or woman in contravention of the provisions of *The Adolescent School Attendance Act, 1919*.

Employment not authorized in violation of 1919, c. 78.

**6.** Section 84 of *The Factory, Shop and Office Building Act* is amended by adding thereto the following as subsection 4a:—

Rev. Stat., c. 229, s. 84 amended.

- (4a) If an application is presented to the council of a city or town praying for the passing of a by-law requiring the closing of any class of shops situate within the municipality, and the council is satisfied that such application is signed by not less than three-quarters in number of the occupiers of shops within the municipality and belonging to the class to which such application relates, the council shall, within one month after the presentation of such application, pass a by-law giving effect thereto and requiring all shops within the municipality belonging to the class specified in the application to be closed and remain closed on one particular day of the week during such time or hours between twelve-thirty o'clock noon and five of the clock of the forenoon of the next following day and during such periods of the year as are named in the application.

Compulsory closing of shops for weekly half-holiday.

## CHAPTER 77.

## An Act to amend The Trades and Labour Branch Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Department of Labour Act, 1921*.

1916, c. 13, amended.      **2.** *The Trades and Labour Branch Act* is amended by inserting therein the following section:—

Lieutenant-Governor in Council may make regulations affecting.

11a.—(1) For the better carrying out of the provisions of section 10 and the duties of the Department of Labour with respect to employment, the Lieutenant-Governor in Council may make regulations,—

Employment Service Councils.

(a) For the establishment of a Provincial Employment Service Council and Local Employment Service Councils;

Scope of councils.

(b) For defining the scope of the activities of such councils within the scope of said section 10;

Travelling expenses of members of councils.

(c) For the payment of travelling expenses and the fixing of a per diem allowance to members of the Provincial Council while transacting the business of the council;

Advances for travelling expenses to employees.

(d) For advancing the travelling expenses of persons travelling to their place of em-

ployment

ployment who have procured such employment through the Ontario Government Employment Bureaux, and the conditions under which such advances for travelling expenses may be made, but no such advance shall be made unless and until the employer has agreed to repay the agency the advances to be made for such travelling expenses.

- (2) The travelling expenses and allowances payable <sup>Expenses and allowances,</sup> under regulations made under subsection 1 shall <sup>how</sup> be payable out of any sums voted by the Assembly and appropriated by the Legislature for <sup>payable.</sup> Ontario Government Employment Bureaux.

## CHAPTER 78.

## An Act to amend The Minimum Wage Act.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Minimum Wage Amendment Act, 1921*.

1920,  
c. 87, s. 12,  
amended.

**2.** Section 12 of *The Minimum Wage Act* is amended by adding thereto the following subsections:—

Board may  
suspend or  
vary orders.

(2) The board shall have power upon petition of employers or employees, or upon its own motion, to temporarily suspend or vary any of its orders, or to revise them in accordance with special or changed conditions in any industry or establishment.

Orders may  
vary with  
localities.

(3) The board shall have the power to make different orders for the same industry or industries in different localities of the province, when in the judgment of the board different conditions in different localities justify such action.

1920,  
c. 87, s. 20,  
amended.

**3.** Section 20 of *The Minimum Wage Act* is amended by striking out the figures "18" in line 2 thereof and substituting therefor the figures "19."

## CHAPTER 79.

## An Act to amend The Mothers' Allowances Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Mothers' Allowances Act, 1921.* Short title.

**2.** The clause lettered *a* in section 3 of *The Mothers' Allowances Act* is amended by striking out the words "in Ontario" in the second line and substituting therefor the words "in Canada" and by adding at the end of the said clause after the word "family" the words "or of a man who has deserted her and who has not been heard of for at least five years" so that the clause will read as follows:

(a) Is a widow or the wife of an inmate of a hospital for the insane in Canada or of a man who is permanently disabled and incapable of contributing to the support of his family, or of a man who has deserted her and who has not been heard of for at least five years. To whom allowance may be paid.

**3.** The said section 3 of *The Mothers' Allowances Act* is amended by adding thereto the following subsection: 1920, c. 89, s. 3, amended.

(2) A like allowance may be paid to a woman who is a British subject domiciled and resident as aforesaid and who is a fit and proper person to have the care and custody of children and who: Additional cases in which allowance may be granted.

(a) Has resident with her and under her care a child over the age of fourteen years or a husband who is permanently disabled and incapable of contributing to the support of the family and has also resident with her one of her own children born in lawful wedlock under the age of fourteen years To mothers.

and has not adequate means to care properly for such child without the assistance of an allowance under this Act; or

Allowance  
to foster  
mother.

- (b) Is married or unmarried and has resident with her two or more orphan children under fourteen years of age and is the grandmother, sister, aunt or other suitable person acting as the foster mother of such children and has not adequate means to care properly for them without the assistance of an allowance under this Act.

1920.  
c. 89, s. 10,  
amended.

4. Section 10 of *The Mothers' Allowances Act* is amended by adding thereto the following clause:

Reciprocal  
arrange-  
ment with  
other  
provinces.

- (jj) For entering into arrangements with the Government of any other Province in the Dominion of Canada making similar provision for the payment of allowances to mothers as is made by this Act for the payment of such allowance in the case of any person who has been in receipt of such allowance in another Province and who moves into Ontario, or in the case of a person who has resided in such other Province and in Ontario for periods which together equal the term of residence required by this Act in the case of a resident of Ontario; but no such arrangement shall be entered into nor shall any such payment be made except where the Province concerned has passed legislation enabling reciprocal action to be taken with regard to beneficiaries under this Act who may move into such Province.

1920, c. 89,  
amended.

5. *The Mothers' Allowances Act* is amended by adding thereto the following section:

Allowance  
in special  
cases.

- 3a. In cases presenting special circumstances where investigation has shown the advisability of an allowance being granted to the children dependent upon a mother or foster mother who is not strictly eligible under the terms of section 3 of this Act, the commission may recommend to the Lieutenant-Governor in Council the granting of an allowance and the amount of the same, and the Lieutenant-Governor in Council may consider any such recommendation and direct the payment of an allowance accordingly.

**6.** Where in *The Mothers' Allowances Act* or in this Act reference is made to the age of fourteen years in the case of any child or children towards whose support an allowance may be paid, such reference, on and after the coming into effect of *The Adolescent School Attendance Act, 1919*, or any part thereof, shall be read as if the words "sixteen years" were substituted for "fourteen years" and *The Mothers' Allowances Act* and this Act shall thereupon be deemed to be amended accordingly.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.

Effect  
of the  
Adolescent  
School  
Attendance  
Act, 1919,  
c. 78.  
Commence-  
ment of Act.

## CHAPTER 80.

## An Act respecting the Two-Platoon System for the Employees of Permanent Fire Departments.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title

**1.** This Act may be cited as *The Fire Departments Two-Platoon Act*.

Two platoon system.

**2.** Where in any city or town having a population of not less than 10,000 there is a permanent fire department, the officers and employees of which are regularly employed as firemen and paid by the municipal corporation, it shall be the duty of the chief, superintendent or commission, as the case may be, to divide the members of the said fire department into two platoons who shall work according to one or other of the two following systems, namely:—

No. 1 System—The said chief of the fire department shall not keep a platoon on duty for more than twenty-four consecutive hours, after which the platoon working the twenty-four hours shall be allowed twenty-four consecutive hours off duty.

No. 2 System—One platoon shall work day work of ten consecutive hours, while the other platoon works night work of fourteen consecutive hours, each platoon to alternate every seventh day from night to day work and *vice versa*.

Inconsistent by-laws, etc.

**3.** The provisions of this Act shall have effect notwithstanding any regulations or by-laws of a municipal corporation relating to a fire department and shall work in conjunction with *The Fire Departments Hours of Labour Act*.

10-11 Geo. V, c. 88.

4. No deduction shall be made from the pay or the holidays of the employees of a permanent fire department by reason only of the provisions of this Act applying to and being in force in the municipality. This Act not to affect salaries or holidays of employees.

5. This Act shall come into force and take effect one month after it receives the Royal Assent. Date when Act comes into force.

## CHAPTER 81.

## An Act to amend The Counties Reforestation Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Counties Reforestation Amendment Act, 1921.*

Rev. Stat.,  
c. 240, s. 2,  
amended.

**2.** Section 2 of *The Counties Reforestation Act* is amended by adding thereto the following clauses:—

Regula-  
tions.

(e) For entering into agreements for the developing, protecting, caring for, and managing such lands or any portion thereof;

(f) For leasing, selling, or otherwise disposing of such lands or any portion thereof.

## CHAPTER 82.

## An Act to amend The Dog Tax and Sheep Protection Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Dog Tax and Sheep Protection Amendment Act, 1921.* Short title.

**2.** *The Dog Tax and Sheep Protection Act* is amended by adding the following as section 5a:— 8 Geo. V. c. 46, amended.

5a. Where after the assessment roll has been returned or finally revised and before the collector's roll has been delivered to the collector, any owner of a dog applies to the clerk for the issue to him of a tag as required by section 9a, and the clerk finds that the owner has not been assessed on the assessment roll as provided by section 4, he shall require the owner to make the statement provided for by section 5 (subject to the penalty imposed by that section), and on such statement being made the clerk shall make the necessary entries on the assessment roll and also on the collector's roll. Application for tag after assessment roll has been returned; statement by owner; penalty.

**3.** Subsection 4 of section 9a of *The Dog Tax and Sheep Protection Act*, as enacted by section 2 of *The Dog Tax and Sheep Protection Amendment Act, 1920*, is amended by adding at the end thereof the following words:—"Provided Rev. Stat. c. 246, s. 9a (as enacted by 1920, c. 92, s. 2), amended.

that

Proviso.

that the tag of a dog may be removed temporarily while such dog is being used for deer hunting purposes in the bush."

Commence-  
ment of  
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 83.

## An Act to amend The Line Fences Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

*The Line Fences Act* is amended by adding the following as section 1a: Rev. Stat.  
c. 259,  
amended.

- 1a. The provisions of this Act *mutatis mutandis* shall apply to unoccupied land as well as to occupied land in any township in a county if the council of such township passes a by-law declaring that the provisions of this Act shall so apply, and if such a by-law is passed it shall be the duty of the clerk of the township to send forthwith a true copy of it to the Director of the Bureau of Municipal Affairs. By-law  
making  
Act apply  
to un-  
occupied  
lands in  
township.

## CHAPTER 84.

An Act to regulate the Sale and Installation of  
Lightning Rods for the Province of Ontario*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Lightning Rod Act*.

Interpretation.

**2.** In this Act,—

“Regulations” shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Act.

In the absence of the “Fire Marshal,” or in case of a vacancy in the office, during such absence or vacancy the term “Fire Marshal” shall also include the “Deputy Fire Marshal.”

Manufacturers and others selling lightning rods shall be licensed.

**3.** No person or corporation shall sell or offer for sale material or apparatus intended to be used for the protection of buildings from damage by lightning, or to install upon any building or structure any apparatus intended to, or purporting to be used, for the protection of buildings from damage by lightning until authorized to do so by a license obtained from the Provincial Fire Marshal under the provisions of this Act or of the regulations.

Conditions under which license may be issued.

**4.** Subject to the regulations a license shall not be issued until the Fire Marshal has approved:

Approval of material.

(a) Of the material or apparatus intended to be used for the protection of buildings and their contents from damage by lightning;

Approval of system of installation.

(b) Of the manner and system of installing such material or apparatus;

(c)

- (c) Of a guarantee agreement, to be filed with him, Guarantee agreement to be filed. providing that in the event of damage by lightning to property, rodded by said person or corporation or his agent, money for the rodding of said building (including material and labour) shall be returned to the owner thereof, or the damage to said building repaired; provided, however, that claim is made within thirty days of sustaining such damage;

And the Fire Marshal is satisfied that the applicant, after Fiducial standing of applicant. complying with the necessary requirements, is safe and reliable as to assets, and business standing, and is entitled to public confidence.

**5.**—(a) Such person or corporation, referred to in section 3 of this Act, shall file a bond with the Fire Marshal in the penal sum of five thousand dollars with surety or sureties satisfactory to the Fire Marshal, for the purpose of securing the payment of any final judgment that may be recovered against such person or corporation in any court of competent jurisdiction in this province, together with a written stipulation that legal process affecting such person or corporation or his agent served upon the Fire Marshal, shall have the same effect as if personally served upon such person or corporation or his agent within the province. Filing of bond to fulfil guarantee.

(b) Where judgment is recovered against any person or corporation upon a guarantee agreement issued under this Act, and such judgment remains unsatisfied for sixty days after the recovery thereof, the Fire Marshal may bring action upon the bond for the payment of such judgment and the costs payable thereunder and may pay and satisfy the amount of the judgment out of any sum recovered upon such bond. Recovery of judgment.

(c) Service of any legal process upon any such person or corporation shall be good and valid when made in the manner described in subsection (a). Service of legal process.

**6.**—(a) After complying with the necessary requirements as herein provided, and upon the receipt of a fee of fifty dollars, payable to the Treasurer of Ontario, and a tax of eighty cents on every hundred dollars received from the sale of lightning rods and equipment in respect of business transacted in Ontario during the preceding year as shown by a sworn statement made by such person or corporation, the Fire Marshal may issue a license to such applicant, to continue in force until the thirty-first day of December next after the date of the issuing of same. Payment of fee and tax.

(b)

Revocation  
of license.

(b) The license may be revoked at any time by the Fire Marshal for non-compliance with the provisions of this Act or the regulations, after a hearing.

Licensing  
agents.

7. Upon written notice from the licensee under this Act, of the appointment of a suitable person to act as his agent in this province, and upon the presentation of a certificate of his good reputation and character signed by the mayor or reeve of the municipality of which he is a resident, the Fire Marshal may, if he is satisfied that the appointee is a suitable person, issue to him a license as such agent upon the receipt of a fee of three dollars, payable to the Treasurer of Ontario.

Fee.

Restrictions  
as to sale  
by agents.

(a) An agent holding such a license is permitted thereby to sell and instal only the classes or brands of rods and equipment sold by the holder of the original license.

License only  
for current  
year.

(b) Such license shall continue in force for the current year but may be revoked at any time by the Fire Marshal for good cause, after a hearing.

Agents to  
be residents  
of Ontario.

(c) Such agents shall be residents of the Province of Ontario.

License  
shall be  
exhibited  
when re-  
quested by  
public  
officer.

Copy of Act  
and Regula-  
tions to be  
furnished.

Licensee or  
agent shall  
give certifi-  
cate as to  
proper per-  
formance of  
work.

Penalty for  
refusal or  
neglect.

8. Every licensee or agent shall, upon demand, exhibit his license to any mayor, reeve, fire prevention officer, district fire marshal, fire chief or police officer, and to any person to whom he sells, offers to sell or install lightning rods or equipment and shall furnish a copy of this Act and the regulations regarding the standardization and installation of lightning rods to every person to whom he sells such lightning rods and equipment, and upon completion of the work he shall give the owner of the building a certificate in writing, duly signed, that the installation has been made in full conformity with the requirements of this Act and the regulations, and if he neglects or refuses to do so, he shall be liable to the penalty provided by this Act for acting as such agent without a license.

Penalty for  
selling  
without  
license.

9. Any person not licensed as provided by this Act, selling, offering for sale, or installing such lightning rods or other material, shall be liable to a fine of not over \$200, or six months' imprisonment for each offence, or both; and such penalty shall be recoverable before a police magistrate, or two or more justices of the peace, under *The Ontario Summary Convictions Act*.

**10.**—(a) The licenses provided for by this Act are valid for only one person, firm or corporation, and are not transferable.  
License not transferable.

(b) A manufacturer or agent licensed under this Act may employ competent help to instal lightning rods, but the responsibility for the proper installation of the lightning rods rests with the manufacturer or original licensee.  
Help may be employed.

**11.** Where the holder of any guarantee agreement issued under the provisions of this Act deems that he has suffered loss by lightning as a result of installation in contravention of this Act or the regulations, he may bring an action for the recovery of the amount of such loss, as provided for in section 4, subsection (c) of this Act, against the person or corporation issuing the agreement, but every such action shall be commenced within a period of thirty days after the occurrence of the loss.  
Holder of guarantee agreement may bring suit.

**12.** The license fees and taxes paid to the Treasurer of Ontario, as provided in this Act, shall be added to the special fund for the maintenance of the office of Fire Marshal and the expense incidental thereto.  
Fees and taxes to be added to Fire Marshal Fund.

**13.** The Lieutenant-Governor in Council may make regulations:—  
Power of Lieutenant-Governor in Council to make regulations.

(a) Establishing standards and prescribing the kind of materials or apparatus to be used for the protection of buildings and their contents from damage by lightning;  
Standardization.

(b) Respecting the manner and system of installing such material or apparatus;  
Installation.

(c) Generally for the enforcement and better carrying out of the provisions of this Act.  
Generally.

**14.** All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.  
Repeal.

**15.** This Act shall come into force on the second day of January, 1922.  
When Act shall take effect.

## CHAPTER 85.

# An Act to provide Compensation for Damage caused by Sulphur Fumes.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Damage by Fumes Arbitration Act, 1921.*

Appoint-  
ment of  
arbitrator.

**2.** The Lieutenant-Governor in Council may from time to time appoint an arbitrator for the purposes of this Act, and may limit his jurisdiction either territorially or as to subject matter and may extend such limited jurisdiction or diminish it from time to time.

Where  
crops  
damaged  
by sulphur  
fumes.

**3.**—(1) Where damage is occasioned by sulphur fumes to crops, trees, or other vegetation directly or indirectly, such damage may be determined by the arbitrator so appointed, who shall have exclusive jurisdiction to determine the amount of such damage and to make an award.

Effect of  
remedies  
herein  
provided.

(2) The remedies hereunder provided shall be in lieu of all remedies whether in law or in equity to which the person would be entitled but for the passing of this Act, and no action shall be taken by way of injunction or otherwise.

Notice of  
damage.

**4.**—(1) Notice of the damage shall be given by the person aggrieved to the person offending within seven days of such damage occurring, and in the absence of such notice the arbitrator may disallow any claim for compensation.

Assessment  
of damages  
by arbitra-  
tor.

(2) Unless satisfactory compensation has been received the person aggrieved shall have the right at any time before November first of the year in which the damage is alleged to have occurred to appeal to the arbitrator to determine compensation and the arbitrator shall thereafter as soon as may be convenient notify both parties, hear such evidence as may be available, assess the damage and make the award in writing.

5. The award of the arbitrator shall be binding upon the parties and not subject to appeal or to be questioned or reviewed, restrained or removed by prohibition, injunction, certiorari or other process or proceeding in any court, and on being filed in the office of the clerk of the county or district court such award shall, for the purpose of issuing execution thereon, have the same force and effect as a judgment of the said court. Effect of award fixed by arbitrator.

6. The costs of the arbitration, which may include his own fees, shall be in the discretion of the arbitrator, but shall not exceed the scale provided in *The Arbitration Act*. Costs.

7. The Lieutenant-Governor in Council shall have power from time to time to make regulations fixing the arbitrator's fees and generally for the better carrying out of this Act. Regulations.

8. All actions for damage from sulphur smoke or fumes now pending but untried shall forthwith be stayed and the rights of the parties thereto determined by the arbitrator in the manner hereinbefore set forth, but section 4 shall not apply to such actions. Pending actions.

9. This Act shall come into force on the day on which it receives the Royal Assent. Commencement of Act.

## CHAPTER 86.

## An Act to amend The Cemeteries Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.      **1.** This Act may be cited as *The Cemeteries Amendment Act, 1921.*

Rev. Stat.,  
c. 261,  
amended.      **2.** *The Cemeteries Act* is amended by adding thereto the following section:—

Inspectors.      10a.—(1) The Lieutenant-Governor in Council may designate one or more officers of the Provincial Board to act as inspectors for the purposes of this Act.

Duties.      (2) It shall be the duty of the inspectors and they shall have power,

(a) To visit and inspect cemeteries and when necessary for that purpose, to enter upon or pass over the lands of the owner or any other person;

(b) To see that the provisions of this Act are observed by the owners of cemeteries and with the approval of the Provincial Board of Health to enforce their observance by prosecution for the penalties imposed by this Act;

(c) To call for and collect such statistical and other information as the Provincial Board may require, with regard to cemeteries and the care and management thereof;

(d) To see that the affairs of any cemetery, or of any cemetery company or trust or other body

body of persons owning a cemetery are conducted with due regard to their contractual obligations to the lot owners and others interested in the cemetery, and for that purpose to have access to the books and accounts of any owner of a cemetery;

(e) To report to the Provincial Board from time to time, upon the enforcement and administration of this Act;

(f) To see that every cemetery is properly fenced, kept clear of weeds and otherwise cared for in a proper manner and in accordance with this Act and the regulations;

(g) To see that the provisions of this Act and the regulations with regard to burials and disinterments and the transportation of dead bodies are duly complied with, and to take proceedings against any person contravening any of such provisions;

(h) To exercise, when so directed by the Lieutenant-Governor in Council, the powers which may be conferred upon a commissioner under *The Public Inquiries Act* for the purpose of investigating and reporting upon the conditions of any cemetery, and the conduct of its affairs or those of any corporation or trust or individual being the owner or in control of a cemetery.

Rev. Stat.,  
c. 18.

3. *The Cemeteries Act* is amended by adding the following as section 10b:—

Rev. Stat.,  
c. 261,  
amended.

10b. The Lieutenant-Governor in Council may appoint an officer of the Provincial Board to examine and audit the books of account of any cemetery company whenever the Board certifies that it is in the interest of the lot owners that such examination should be made and it shall be the duty of the company to afford the officer so appointed access to such books of account for the purpose of examination and audit and such officer shall report the result of his findings to the Board.

Appointment  
of  
officer of  
Provincial  
Board to  
audit books  
of cemetery.

4. Section 24 of *The Cemeteries Act* is amended by adding thereto the following as subsection 2:—

Rev. Stat.,  
c. 261, s. 24,  
amended.

Appoint-  
ment of  
trustees  
by Pro-  
vincial  
Board of  
Health.

- (2) Where the council of a municipality neglects or refuses to undertake the duty of maintaining a cemetery under the provisions of this section, the Provincial Board of Health may appoint three of the lot owners as trustees for the purpose of controlling, managing and maintaining such cemetery.

## CHAPTER 87.

## An Act to amend The Ontario Game and Fisheries Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Ontario Game and Fish-Short title.  
eries Act, 1921.*

**2.**—(1) Subsection 2 of section 9 of *The Ontario Game and Fisheries Act*, as amended by section 5 of *The Ontario Game and Fisheries Amendment Act, 1916*, section 36 of *The Statute Law Amendment Act, 1917*, section 3 of *The Ontario Game and Fisheries Act, 1919*, and section 4 of *The Ontario Game and Fisheries Act, 1920*, is further amended by adding at the end thereof the following words: “nor shall this apply to the taking of bear and wolf by any means nor to fox taken by gun and dog,” so that the subsection will now read as follows:

(2) No person shall hunt, take, trap, shoot, kill or molest or attempt to hunt, take, trap, shoot, kill or molest any fur-bearing animals except under the authority of a license or permit, but this shall not apply to a farmer or his sons trapping upon the lands of such farmer, animals other than beaver and otter during the various open seasons nor shall this apply to the taking of bear and wolf by any means, nor to fox taken by gun and dog.

(2) Section 9 of *The Ontario Game and Fisheries Act*, as amended by section 5 of *The Ontario Game and Fisheries Amendment Act, 1916*, section 36 of *The Statute Law Amendment Act, 1917*, section 3 of *The Ontario Game and Fisheries Act, 1919*, and section 4 of *The Ontario Game*

*and*

and *Fisheries Act, 1920*, is further amended by adding thereto the following subsections:—

Cold  
storage  
license.

- (3) No person shall engage in the business of cold storage of game except under the authority of a license.

Hotel,  
restaurant  
or club  
license.

- (4) No hotel, restaurant or club shall be in possession of any game except under the authority of a license.

Rev. Stat.,  
c. 262, s. 10,  
subs. 1,  
amended.

3.—(1) Subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as amended by section 4 of *The Ontario Game and Fisheries Act, 1919*, and section 5 of *The Ontario Game and Fisheries Act, 1920*, is further amended by adding thereto the following clause:—

Deer.

- (a) Any moose, deer, reindeer, or caribou in that part of Ontario lying north of the main line of the Canadian Government Railway, formerly the Grand Trunk Pacific Railway, from Quebec to the Manitoba boundary line, except from the 1st day of October to the 30th day of November, both days inclusive.

Rev. Stat.,  
c. 262, s. 10,  
subs. 1, cl. d,  
repealed.

(2) Clause *d* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as amended by section 6 of *The Ontario Game and Fisheries Amendment Act, 1916*, section 2 of *The Ontario Game and Fisheries Act, 1918*, and section 5 of *The Ontario Game and Fisheries Act, 1920*, is repealed and the following substituted therefor:—

Grouse.

- (d) Any ruffed grouse, commonly known as partridge, except from the 5th day of November to the 20th day of November in each year, both days inclusive, and no person shall take, kill or have in possession any more than ten partridge in any one year;

Pheasant or  
prairie  
fowl.

- (dd) Any pheasant or prairie fowl before the 5th day of November, 1923, and thereafter except from the 5th day of November to the 20th day of November in each year, both days inclusive.

Rev. Stat.,  
c. 262, s. 10,  
subs. 1,  
cl. e  
amended.

(3) Clause *e* of subsection 1 of section 10 of *The Ontario Game and Fisheries Act*, as amended by section 6 of *The Ontario Game and Fisheries Amendment Act, 1916*, is

further

further amended by striking out the words and figures "15th day of October to the 15th day of November," and substituting therefor the following words and figures "15th day of September to the 15th day of October," so that the said clause will now read as follows:—

- (e) Any woodcock except from the 15th day of Sep-<sup>Woodcock.</sup>  
tember to the 15th day of October, both days  
inclusive.

(4) Clause *ii* of subsection 1 of section 10 of *The On-<sup>Rev. Stat.</sup>  
tario Game and Fisheries Act*, as amended by section 2<sup>c. 262,</sup>  
of *The Ontario Game and Fisheries Act, 1918*, and section<sup>s. 10, subs.</sup>  
6 of *The Ontario Game and Fisheries Act, 1919*, is further<sup>1, cl. ii</sup>  
amended by inserting the word "except" after the words  
"lesser yellow legs" where they appear therein so that the  
clause will now read as follows:—

- (ii) Black breasted and golden plover, wilson or jack<sup>Plover,</sup>  
snipe and the greater and lesser yellow legs ex-<sup>snipe, etc.</sup>  
cept from the 1st day of September to the 15th  
day of December in any year, both days in-  
clusive.

(5) Clause *k* of subsection 1 of section 10 of *The Ontario*<sup>Rev. Stat.</sup>  
*Game and Fisheries Act*, as amended by section 6 of *The*<sup>c. 262, s. 10,</sup>  
*Ontario Game and Fisheries Amendment Act, 1916*, is re-<sup>subs. 1,</sup>  
pealed.<sup>cl. k re-</sup>  
Hares.

(6) Subsection 2 of section 10 of *The Ontario Game and*<sup>Rev. Stat.</sup>  
*Fisheries Act*, as amended by section 6 of *The Ontario Game*<sup>c. 262, s. 10,</sup>  
*and Fisheries Amendment Act, 1916*, is repealed.<sup>subs. 2 re-</sup>  
Cotton-tail  
rabbits.

4. Subsection 5 of section 11 of *The Ontario Game and*<sup>Rev. Stat.</sup>  
*Fisheries Act*, as amended by section 7 of *The Ontario*<sup>c. 262, s. 11,</sup>  
*Game and Fisheries Act, 1919*, is repealed, and the follow-<sup>subs. 5, re-</sup>  
ing substituted therefor:—<sup>pealed.</sup>

- (5) Nothing in this section shall apply to any person<sup>Permit</sup>  
destroying any fur-bearing animals in defence<sup>required</sup>  
or preservation of his property by any means<sup>for sale of</sup>  
at any time, but skins so taken of animals in<sup>unprimed</sup>  
respect of which there is a closed season shall not<sup>skins.</sup>  
be offered for sale or barter during the close  
season except under the authority of a permit  
issued by the Deputy Minister, and any fur dealer  
possessing such skins must hold the permit so  
issued and forward same to the department when  
applying for a permit to ship out of the prov-  
ince, or to dress or tan the skins.

Rev. Stat.  
c. 262, s. 11b  
repealed.

5. Section 11b of *The Ontario Game and Fisheries Act*, as enacted by section 7 of *The Ontario Game and Fisheries Act, 1920*, is repealed, and the following substituted therefor:—

Royalties.

11b. It shall be unlawful for any person or persons to ship to any point outside the province or attempt to take or ship to any point outside the province, any raw or undressed skins or pelts of fur-bearing animals or to have such skins or pelts sent to a tanner to be dressed or plucked or treated in any way without first having obtained a permit from the department, and a royalty must be paid on each and every skin as follows:—

Bear . . . . .	\$ .60
Fisher . . . . .	1.50
Fox (cross) . . . . .	1.50
Fox (red) . . . . .	.75
Fox (silver and black) . . . . .	10.00
Fox (white) . . . . .	1.50
Fox (not specified) . . . . .	.50
Lynx . . . . .	.50
Marten . . . . .	1.00
Mink . . . . .	.25
Muskrat . . . . .	.05
Raccoon . . . . .	.10
Skunk . . . . .	.10
Weasel . . . . .	.05
Wolverine . . . . .	.40

but such royalty shall not apply to foxes bred on fur farms operating within the province under the authority of a permit issued by the Minister.

Rev. Stat.  
c. 262, s. 13,  
subs. 2  
amended.  
Cow moose,  
calves, etc.

6.—(1) Subsection 2 of section 13 of *The Ontario Game and Fisheries Act* is amended by striking out the word “fawns” where it appears in the marginal note of the subsection and substituting therefor the word “calves.”

Rev. Stat.  
c. 262, s. 13,  
subs. 4  
amended.

(2) Subsection 4 of section 13 of *The Ontario Game and Fisheries Act* is amended by adding at the end thereof the following words, “but this shall not apply to deer taken under the authority of a special camp license which entitles organized hunting parties to kill one deer to be eaten in camp and such license may be issued to every six persons” so that the said subsection will now read as follows:—

Aggregate  
kill.

(4)

- (4) Two or more persons hunting together and holding licenses may kill an aggregate of not more than one deer for each member of the party, but this shall not apply to deer taken under the authority of a special camp license which entitles organized hunting parties to kill one deer to be eaten in camp, and such license may be issued to every six persons.

7. Section 13a of *The Ontario Game and Fisheries Act*, Rev. Stat. c. 262, s. 13a, as enacted by section 8 of *The Ontario Game and Fisheries Act, 1920*, is repealed.

8.—(1) Subsection 3 of section 14 of *The Ontario Game and Fisheries Act*, as amended by section 11 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by adding at the end thereof the following words, “but this shall not apply to two persons hunting together who may place an aggregate of one hundred decoys in a flock,” so that the said subsection will now read as follows:—

- (3) No blinds or decoys for use in hunting duck or other water fowl shall be placed at a greater distance than two hundred yards from the shore or a natural rush bed thick enough to conceal a boat, or from a water line bounding private property, and all decoys shall be removed from the water during the hours in which shooting is prohibited, and no person shall set out more than one flock of decoys, and no flock of decoys shall consist of more than fifty, and no two flocks shall be placed nearer each other than one hundred yards, but this shall not apply to two persons hunting together who may place an aggregate of one hundred decoys in a flock. Blinds or decoys.

(2) Subsection 5 of section 14 of *The Ontario Game and Fisheries Act*, as enacted by section 9 of *The Ontario Game and Fisheries Act, 1920*, is amended by inserting after the word “and” in the second line thereof the words “ruffed grouse commonly known as,” so that the said subsection will now read as follows:—

- (5) The purchase or sale of wild ducks, wild geese or other water fowl, snipe, quail, woodcock, and ruffed grouse, commonly known as partridge, is prohibited. Traffic in water fowl prohibited.

9. Subsection 2 of section 15 of *The Ontario Game and Fisheries Act* is repealed. Rev. Stat. c. 262, s. 15, subs. 2, repealed.

Rev. Stat.  
c. 262, s. 40,  
subs. 1,  
cl. b,  
amended.

**10.**—(1) Clause *b* of subsection 1 of section 40 of *The Ontario Game and Fisheries Act*, as amended by section 12 of *The Ontario Game and Fisheries Act, 1919*, is further amended by striking out the words “moose, deer, caribou and” where they appear after the word “of” in the first line thereof, so that the clause will now read as follows:—

Possession  
of game in  
close season.

(b) Skins of fur-bearing animals may be had in possession during the close season under the authority of a permit issued by the Deputy Minister not later than ten days after the end of the open season, and specifying the number and description of such skins.

Rev. Stat.  
c. 262, s. 40,  
subs. 2,  
repealed.

(2) Subsection 2 of section 40 of *The Ontario Game and Fisheries Act* is repealed.

Rev. Stat.  
c. 262, s. 41,  
subs. 5,  
amended.

**11.** Subsection 5 of section 41 of *The Ontario Game and Fisheries Act*, as enacted by section 11 of *The Ontario Game and Fisheries Act, 1920*, is amended by striking out the words, “or the skins or pelts of protected animals” after the word “thereof” where it appears in the fourth line, so that the subsection will read as follows:—

Fur  
traders’  
licenses.

(5) No person shall engage in, or carry on, or be concerned in trading, buying or selling, or be in possession of fur-bearing animals, or skins, or pelts thereof, except under the authority of a license.

Rev. Stat.  
c. 262, s. 48,  
subs. 1, cl. a,  
amended.

**12.**—(1) Clause *a* of subsection 1 of section 48 of *The Ontario Game and Fisheries Act*, as amended by section 23 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by striking out the words, “to carry guns, rifles and firearms and” after the word “Ontario” where it appears in the first line thereof, so that the clause will now read as follows:—

Hunting  
license,—  
non-resident.

(a) A person not resident in Ontario to hunt and shoot, and the fee for such license shall be \$25.

Rev. Stat.  
c. 262, s. 48,  
subs. 1, cl. b,  
amended.

(2) Clause *b* of subsection 1 of section 48 of *The Ontario Game and Fisheries Act* is amended by adding at the end thereof the following words: “and a special camp license to hunt deer may be issued to such resident and the fee for such license shall be \$3,” so that the said clause will now read as follows:—

(b)

- (b) A resident of Ontario to hunt deer, and the fee for such license shall be \$3; and a special camp license to hunt deer may be issued to such resident and the fee for such license shall be \$3.

**13.**—(1) Clause *b* of section 49 of *The Ontario Game and Fisheries Act*, as amended by section 6 of *The Ontario Game and Fisheries Act, 1914*, and section 8 of *The Ontario Game and Fisheries Act, 1918*, is further amended by striking out the words “or the skins or pelts of protected animals” after the word “animals” where it appears for the first and second times therein, so that the clause will now read as follows:—

- (b) Any person during the open season and during the period in the close season from the end of the open season in any year to the 1st day of January of the following year to buy and sell and within the limits of the municipality for which such license is issued to expose for sale game other than fur-bearing animals lawfully killed and procured, and during such period and upon the conditions prescribed by the regulations, game other than fur-bearing animals imported into Ontario specified and described in the regulations, and lawfully hunted, killed or procured according to the law of the province, state or country in which the same were killed or procured, and the fee for such license shall be, in cities having a population of 50,000 or over, \$10, and in cities having a population of less than 50,000 and not less than 25,000, \$5, and in cities having a population of less than 25,000, and in towns, \$2, and in villages and townships, \$1.

(2) Clause *c* of section 49 of *The Ontario Game and Fisheries Act* is amended by striking out the words “supply for or as a part of a meal served upon its premises” in the first and second lines thereof, and by substituting therefor the words “be in possession of,” so that the clause will now read as follows:—

- (c) A hotel, restaurant or club to be in possession of any game lawfully obtained during the period in which the same may be lawfully kept in cold storage; and the fees for such license shall be, in cities having a population of not less than 100,000,

100,000, \$10; in other cities having a population of not less than 50,000, \$5; and in all other municipalities, \$1.

Rev. Stat.,  
c. 262, s. 49,  
cl. d,  
amended.

(3) Clause *d* of section 49 of *The Ontario Game and Fisheries Act*, as enacted by section 13 of *The Ontario Game and Fisheries Act, 1920*, is amended by striking out the words "or the skins or pelts of protected animals" after the word "thereof" where it appears in the second line, and by adding at the end thereof the following:—

"For a resident British subject purchasing for personal use, restricted as to time and quantity, to be known as 'restricted' license....\$1.00"

so that the clause will now read as follows:—

Fur dealers'  
licenses.

(*d*) Any person to buy or sell fur-bearing animals or the skins or pelts thereof, and the fee for such license shall be:

For a resident British subject on specific premises to be known as "store license".....\$25.00

For resident British subject where premises are not designated to be known as "travelling fur buyer" .....\$100.00

For a resident of the province who is not a British subject and for a non-resident....\$200.00

For a resident British subject on specific premises to be known as "wholesale" license.....\$100.00

For non-resident wholesale buyers purchasing direct from holders of a "wholesale" license..\$5.00

For a resident British subject purchasing for personal use, restricted as to time and quantity, to be known as "restricted" license .....\$1.00

Rev. Stat.,  
c. 262, s. 49,  
cl. e,  
amended.

(4) Clause *e* of section 49 of *The Ontario Game and Fisheries Act*, as enacted by section 19 of *The Ontario Game and Fisheries Act, 1919*, is amended by striking out the words "or protected" in the third line thereof, so that the clause will now read as follows:—

Tanners'  
and curers'  
licenses.

(*e*) Any person engaged in the business of dressing, plucking, dyeing, tanning, or other process of curing skins of fur-bearing animals, and the fee for the same shall be \$10.

**14.** Subsection 11 of section 61 of *The Ontario Game and Fisheries Act*, as amended by subsection 2 of section 30 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by striking out the words "the Deputy Minister, superintendent, inspectors and wardens" in the second line thereof and by substituting therefor the following: "all officers in connection with the enforcement of the Act," so that the subsection will now read as follows:—

Rev. Stat.,  
c. 262, s. 61,  
subs. 11,  
amended.

- (11) All the provisions of this section as to overseers shall apply to all officers in connection with the enforcement of the Act so far as is consistent with their respective duties; and all sheriffs, deputy sheriffs, provincial police or constables, county constables, police officers, wood rangers, crown lands agents, timber agents and fire wardens shall *ex officio* be overseers.

Overseers  
ex officio.

**15.** Subsection 2 of section 62 of *The Ontario Game and Fisheries Act*, as amended by section 21 of *The Ontario Game and Fisheries Act, 1919*, is further amended by striking out all the subsection after the word "service" where it appears in the second line, so that the subsection will now read as follows:—

Rev. Stat.,  
c. 262, s. 62,  
subs. 2,  
amended.

- (2) Deputy game and fishery wardens shall be appointed without salary, except when on special service.

Remunera-  
tion.

**16.—(1)** Subsection 1 of section 65 of *The Ontario Game and Fisheries Act*, as enacted by section 32 of *The Ontario Game and Fisheries Amendment Act, 1916*, is further amended by inserting the words "or any licensee who violates the conditions of any other license or permit" after the word "license" where it appears in the fourth line thereof, so that the subsection will now read as follows:—

Rev. Stat.,  
c. 262, s. 65,  
subs. 1,  
amended.

- (1) Any person who commits any offence against the provisions of this Act in respect of fish or fishing or any licensed fisherman who violates the conditions of his license, or any licensee who violates the conditions of any other license this Act or in respect of which any such offence or permit, shall for each offence incur a penalty of not less than \$5 and not more than \$300.

Penalty  
for viola-  
tion of  
license or  
regulations.

(2) Subsection 6 of section 65 of *The Ontario Game and Fisheries Act* is repealed.

Rev. Stat.,  
c. 262, s. 65,  
subs. 6,  
repealed.

Rev. Stat.,  
c. 262, s. 65,  
subs. 7,  
amended.

(3) Subsection 7 of section 65 of *The Ontario Game and Fisheries Act*, as amended by section 12 of *The Ontario Game and Fisheries Act, 1918*, is further amended by inserting the words "motor vehicles" after the word "all" where it appears in the first line thereof, so that the subsection will now read as follows:—

Confisca-  
tion of  
game, etc.

(7) All motor vehicles, guns, ammunition, boats, skiffs, canoes, punts and vessels of every description, decoys, nets, rods, lines, tackle and all appliances of every kind used for hunting or fishing, and all game and fish found in the possession of any person committing an offence against was committed, shall upon seizure be forfeited and save as hereinafter provided shall become the property of His Majesty and shall be forwarded to the Deputy Minister to be sold, and the proceeds paid to the Treasurer of Ontario.

Commence-  
ment of  
Act.

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 88.

## An Act respecting the Ontario Athletic Commission.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Athletic Commission Act, 1921.* Short title.

**2.** Section 7 of *The Athletic Commission Act* is amended 1920, c. 30, s. 7, amended. by adding thereto the following subsection:—

(2) In the absence of the chairman or in case of a Vice-chairman. vacancy in the office the members of the commission may elect from amongst themselves an acting chairman, who shall hold office during such absence or vacancy, and while holding office shall have and possess the like powers and shall perform the like duties as the chairman.

**3.** Section 11 of *The Athletic Commission Act* is amended 1920, c. 30, s. 11, amended. by adding after the word “person” at the end of the first line the words “corporation or association.” Licenses.

**4.** *The Athletic Commission Act* is amended by adding 1920, c. 30, amended. thereto the following section:—

13a.—(1) Where it is charged that a boxing or wrestling contest or exhibition conducted under a Investigation of charges. license as hereinbefore provided or any agreement, contract or undertaking entered into with respect to such boxing or wrestling contest or exhibition is in violation of the rules, regulations and conditions from time to time prescribed by the commission, or that any person a party to or participating in such boxing or wrestling contest or exhibition has been guilty of any such violation or of any unsportsmanlike or unbecoming conduct to the prejudice of the interest of legitimate boxing or wrestling, the com-  
mission

mission may hold an investigation into such charges and for the purposes of such investigation shall possess all the powers which may be conferred upon a commission appointed under *The Public Inquiries Act*.

Impounding  
and for-  
feiture of  
moneys by  
commission.

- (2) The commission may order that pending the disposition of the charges so made any moneys which under the terms of any contract or agreement may be payable to any employee of the person, club or association holding such boxing or wrestling contest or exhibition or to any boxer or wrestler shall be delivered to the commission and shall be impounded pending the result of the investigation, and if such charges are held by the commission to have been proven, the commission may declare the moneys impounded to be forfeited and such money shall thereupon become the property of the commission and shall be applied for the promotion of amateur athletics.

Commence-  
ment of  
Act.

5. This Act shall come into force on the 1st day of June, 1921.

## CHAPTER 89.

## An Act to amend the School Laws.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The School Law Amendment Act, 1921.* Short title.

**2.** Section 6 of *The Department of Education Act* is amended by adding thereto the following clause:— Rev. Stat.,  
c. 265, s. 6,  
amended.

(jj) Subject to the regulations and when approved by the Lieutenant-Governor in Council, to declare that for the purposes of the apportionment of grants under this section, the public and separate schools in a village in any county, or in a village or in a town having a population of less than 1,500 in a provisional judicial district, shall be deemed rural public and separate schools. Rural public and separate schools, what may be deemed.

**3.** Subsection 1 of section 6b of *The Department of Education Act*, as enacted by section 3 of *The School Law Amendment Act, 1920*, is repealed and the following substituted therefor:— 1920, c. 99,  
s. 3,  
repealed.

(1) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, for and in the name of the province, guarantee the payment of any debentures issued by a board of public school trustees or a board of separate school trustees or by a municipal corporation in a provisional judicial district for any school purpose for which such board or municipal corporation is authorized to issue debentures. Guaranteeing payment of school debentures.

**4.** Subsection 1 of section 11 of *The Public Schools Act, 1920*, is amended by striking out the words at the end there- 1920, c. 100,  
s. 11, subs. 1,  
amended.

of

Rural  
school  
sites.

of "and no site shall be adopted without the consent of such meeting" and substituting therefor the words "and if a majority of the ratepayers present at the meeting by resolution approve of such site, the same shall be adopted by the board and no site shall be adopted by the board until so approved except as provided in the following subsections of this section."

1920, c. 100,  
amended.

**5.** *The Public Schools Act, 1920*, is amended by adding thereto the following sections:

By-law  
setting  
apart  
township  
school  
area.

15a—(1) The council of a township may by by-law passed with the consent of four-fifths of the whole number of members of the council before the 1st day of July in any year, set apart any portion of the township lying contiguous to a city or town as a township school area and may declare that thereafter the school sections included in the township school area shall cease to exist as separate school sections and that the school boards having jurisdiction therein shall be dissolved.

When  
by-law to  
take effect.

(2) The by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections shall remain in office until a board for the township school area has been elected and organized as hereinafter provided.

Board of  
public  
school  
trustees  
for  
township  
school  
area.

(3) There shall be a board of public school trustees for every township school area which shall consist of five members, and the board shall have and may exercise and perform the like powers and duties with respect to public schools in the township school area as in the case of a township board.

Election  
of trustees.

(4) For the year following the year in which the by-law takes effect and in each year thereafter a board of public school trustees shall be elected for the township school area and the election of trustees shall be by ballot and shall be held as nearly as may be in the same manner as an election of members of a municipal council, and the secretary or secretary-treasurer of the board, or in the case of a first election, a person appointed by the inspector, shall be returning officer at such election and all the provisions of this Act applicable to the election of school trustees by ballot shall apply as nearly as may be to the election of school trustees under this section.

- (5) Every board of school trustees of a township school area shall be a corporation by the name of "The board of school trustees of the township school area of . . . . . " or by such other designation as the by-law may provide. <sup>Incorporation.</sup>
- (6) Upon the election and organization of a board of public school trustees for a township school area the board of public school trustees for every school section then in existence in the township school area shall be dissolved and all the property, real and personal, vested in the board of any such school section shall be vested in and become the property of the board of the township school area. <sup>Vesting of real and personal property in board of township school area.</sup>
- (7) No by-law shall be passed under the provisions of subsection 1 until the same shall have been submitted to and approved in writing by the Minister. <sup>Approval of Minister.</sup>
- 15b. Subject to the approval of the Minister the board of public school trustees of a township school area may enter into an agreement with the board of education or board of public school trustees of a contiguous city or town for the purposes and in the manner provided by section 75. <sup>Agreement with urban board.</sup>
- 15c—(1) Where the board of public school trustees of a township school area has entered into an agreement under section 15b with the board of a contiguous city or town, the council of the township may exempt the portion of the township included in such township school area from the general rate required to be levied under section 96, but such exemption shall not be granted until the Minister has given his approval thereto in writing. <sup>Exemption from township rate.</sup>
- (2) Where an exemption is granted from the township rate under subsection 1, the township school area shall not share in the expenditure of any sum raised by any such general rate, nor shall it be necessary for the township council in fixing such rate to take into account schools in the township school area. <sup>Where exemption granted township school area not to share in rate.</sup>

6. *The Public Schools Act, 1920*, is amended by adding thereto the following section: <sup>1920, c. 100, amended.</sup>

Collection  
of rates in  
unorganized  
townships  
by action.

37a. In addition to any other remedy possessed by public school trustees in unorganized townships or in unsurveyed territory, for the recovery of rates imposed under the authority of this Act, the trustees, with the approval of the inspector in writing signed by him, may bring an action in any court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor.

1920, c. 100,  
s. 55 (1),  
amended.

7. Subsection 1 of section 55 of *The Public Schools Act, 1920*, is amended by inserting after the word "of" in the fifth line the words "one o'clock or" so that the subsection will now read:—

Annual  
meeting,  
when held.

55.—(1) A meeting of the electors of every section for the purpose (among other things) of electing trustees shall be held annually on the last Wednesday in December, commencing at the hour of ten o'clock in the forenoon, or if the board by resolution so directs at the hour of one o'clock or eight o'clock in the afternoon, at such place as the board shall by resolution determine, or in the absence of such resolution, at the school house of the section.

1920, c. 100,  
s. 75 re-  
pealed.

8. Section 75 of *The Public Schools Act, 1920*, is repealed and the following substituted therefor:

Agreements  
between  
urban  
boards and  
rural boards  
as to school  
accommoda-  
tion.

75—(1) The board of education or board of public school trustees in an urban municipality may agree with the board of public school trustees of a school section or township school area adjacent to the boundaries of the urban municipality, for the erection, equipment and maintenance by either of the boards, of a school or schools in the school section or township school area or in the urban municipality for the joint accommodation of pupils from the school section or township school area and from the urban municipality or from any designated area therein contiguous to the section or township school area, or for the joint use of a school or schools in the school section or township school area or in the urban municipality by pupils from the school section or township school area or from the urban municipality or such designated area.

Terms of  
Agreement.

(2) The agreement shall fix the accommodation to be provided, and where schools are to be erected,  
provide

provide for the erection thereof and the class of buildings to be erected and shall also fix the proportion of the cost of providing such accommodation or of erecting and maintaining the school to be contributed by the urban municipality, the school section and the township school area respectively.

- (3) Each of the boards shall include in its annual estimates an amount sufficient to pay its proportion of such cost, and the same shall be levied, collected and paid over by the corporation of the urban municipality and the corporation of the township as part of the rate levied for public school purposes in the urban municipality or in the school section or township school area. Raising proportion of cost.
- (4) The agreement shall not be binding nor shall it be acted upon until it has received the approval in writing of the Minister. Agreement to be approved by Minister.
- (5) The Minister may make regulations in the manner provided by *The Department of Education Act* for the apportionment of the legislative and municipal grants in the case of schools to which this section applies and may fix the proportion which shall be paid on account of any such schools out of the legislative grants for rural and urban schools respectively, and the proportion of the municipal grant to rural schools which shall be paid on account of such school. Regulations.

**9.** Subsection 4 of section 96 of *The Public Schools Act, 1920*, is amended by striking out the figures "29" in the last line and substituting therefor the figures "28." 1920, c. 100, s. 96, subs. 4, amended.

**10.** Section 99 of *The Public Schools Act, 1920*, is amended by adding thereto the following subsections:— 1920, c. 100, s. 99, amended.

- (2) Where upon the formation of a consolidated school section a public school section has been divided and each of the provisional sections so formed has become a part of a consolidated school section, the township grant for the public school section divided shall be apportioned between the consolidated school sections according to the assessment of each of the provisional sections. Distribution of township grant on division of sections on forming consolidated school.

When grant to be paid to independent section.

- (3) Where one of the provisional sections becomes part of a consolidated school section and the remaining provisional section is continued as an independent section the whole of the township grant shall be paid to such independent section until it becomes part of a consolidated school section and thereupon the grant shall be distributed as provided in subsection 2.

Where remaining provisional section merged.

- (4) Where a provisional section which has not been included in a consolidated school section ceases to remain an independent section and becomes a part of an adjoining school section by re-arrangement of boundaries or by the formation of a union school section, the township grant formerly paid to the school section of which the provisional section formed a part shall be paid to the consolidated school section, or if more than one consolidated school section has been formed the township grant shall be apportioned to each of such consolidated school sections as provided in subsection 2.

Rev. Stat. c. 267, s. 5, subs. 1, 2 repealed.

**11.** Subsections 1 and 2 of section 5 of *The Continuation Schools Act* are repealed and the following substituted therefor:—

Fees of continuation school pupils.

- 5.—(1) No fees shall be payable by resident pupils or by county pupils or by pupils who are admitted to a continuation school under the provisions of subsections 9 and 10 of section 7.

- (2) Pupils other than those mentioned in subsection 1 shall pay such fees as may be prescribed by the board, but such fees shall not be greater than the average cost per pupil for education in the continuation school.

Rev. Stat., c. 267, s. 7 (1920, c. 99, s. 4), repealed.

**12.** Section 7 of *The Continuation Schools Act* as enacted by *The School Law Amendment Act, 1920*, is repealed and the following substituted therefor:

County grant to continuation schools.

- 7.—(1) The council of every county shall on or before the 15th day of December in each year pay to the boards of all continuation schools in towns not separated from the county and in villages and townships in the county for the maintenance of

continuation

continuation schools without any deduction on account of fees paid for county pupils, an amount equal to that apportioned by the Minister to such continuation schools out of the legislative grant for the maintenance of continuation schools.

- (2) Where the cost of education of county pupils at a continuation school exceeds the amount apportioned by the Minister and the fees received, the county shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows:—
- When further grant to be made.

To eighty per cent. of the total amount expended in paying off debentures issued to pay for permanent improvements and for providing the interest payable upon such debentures shall be added the total cost of maintenance of the continuation school—the amount apportioned out of the legislative grant and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be payable by the county.

Mode of ascertaining amount payable.

- (3) Where a continuation school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.
- Reckoning attendance in case of new school.

- (4) The board and the county council may by agreement settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the Judge on the application of either party.
- Agreement or reference to county judge.

- (5) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 8.
- Not to affect county aid.

Term of  
award.

- (6) Where a continuation school has been in existence for three years or more an award made by the Judge shall be binding for three years, and where it has not been in existence for three years, for one year only.

Statements  
to be  
submitted  
on refer-  
ence.

- (7) In case of a reference the board shall submit to the Judge a detailed statement of all receipts and expenditures for the continuation school for each of the preceding years or a less period under consideration which shall be certified by the auditors, and a statement certified by the chairman of the board of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of county pupils on whose account the demand for payment is made, and a statement certified by the chairman of the amount apportioned out of the legislative grant and of all fees received during each of such years or during such period, and shall also furnish to the Judge such further information as he may require.

Meaning of  
"county  
pupils,"  
etc.

- (8) For the purposes of this section the terms "county pupils," "non-resident pupils," and "resident pupils" shall have the same meaning as in *The High Schools Act*.

Mainten-  
ance of  
county  
pupils at  
town  
school.

- (9) Where the board of a continuation school in a separated town has notified the county clerk that the continuation school is opened to county pupils on the same terms as continuation schools in municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of the education of such county pupils at such continuation school.

Pupils  
from  
adjacent  
county.

- (10) Where the board of a continuation school in a town not separated from the county or in a village or township has notified the clerk of any county adjacent to that in which the continuation school is situate, that such school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of

such

such adjacent county shall on or before the 15th day of December in each year pay for the education of pupils from such county attending the continuation school a sum equal to eighty per cent. of the cost of the education of pupils at such continuation school.

- (11) The amount payable under subsections 9 and 10 shall be ascertained as follows: Mode of ascertaining amount payable by county.

The total expenditure on the continuation school shall be determined by taking the sum of the total expenditure for maintenance, the total expended in paying off debentures issued to pay for permanent improvements, and the total expended in paying the interest on such debentures:—From the total expenditure thus calculated the amount apportioned out of the legislative grant and any sum received from fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such continuation school during the year for which payment is to be made, the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom the county is liable, the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by the county.

- (12) Where the parties do not agree as to the amount so payable the same shall be ascertained by the Judge on the application of either party. Reference to county judge.

- (13) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 7 certified in a similar manner, and shall furnish such further information as he may require. Material to be submitted.

- (14) The costs of a reference to the judge under this section shall be in his discretion and the amount thereof shall be fixed by him and he may direct to and by whom and in what manner the same shall be paid. Costs of reference.

**13.** Section 6 of *The High Schools Act* is amended by adding thereto the following subsection:— Rev. Stat., c. 263, s. 6, amended.

Authority to establish a high school district, comprising whole county.

- (4) The council of any county, with the approval of the Lieutenant-Governor in Council, may by by-law discontinue the high school districts within the county and establish a high school district to be comprised of the whole of the county and such by-law shall take effect on the 1st day of January next following the expiration of six months after the passing of the by-law.

Rev. Stat., c. 268, ss. 34, 35, repealed.

**14.** Sections 34 and 35 of *The High Schools Act* are repealed and the following substituted therefor:—

County grant.

- 34.—(1) Where the cost of maintenance of county pupils at a high school exceeds the amount apportioned by the Minister and the fees received, the council shall in lieu of the equivalent of the amount apportioned out of the legislative grant, pay to the board a sum to be calculated as follows:—

How calculated.

To eighty per cent. of the total amount expended in paying off debentures issued to pay for permanent improvements and for providing the interest payable on such debentures, shall be added the total cost of maintenance of the high school,—the amount apportioned out of the legislative grant and any sums received for fees shall then be deducted; the remainder shall be divided by the total number of days' attendance of all pupils at the school during the next preceding three years, and the resulting amount shall be multiplied by the total number of days' attendance of county pupils during the same three years, and the resulting amount shall be the sum payable by the county.

Reckoning attendance in case of new school.

- (2) Where a high school has not been in existence for three years the attendance shall be reckoned for the period during which it has been open.

Agreement or reference to county judge.

- (3) The board and the county council may, by agreement, settle the amount to be paid by the county for the education of county pupils in any year, but if they do not agree the same shall be settled by the judge on the application of either party.

- (4) No agreement or settlement so made shall affect the apportionment of county aid authorized by section 39. Agreement not to affect county aid.
- (5) Where a high school has been in existence for three years or more an award made by the Judge shall be binding for three years, and where it has not been in existence for three years, for one year only. Term of award.
- (6) In case of a reference the board shall submit to the judge a detailed statement of all receipts and expenditures for the high school for each of the preceding years or a less period under consideration, which shall be certified by the auditors, and a statement certified by the chairman of the board of the names, residences and attendance of all resident, non-resident and county pupils for each of such years or for such period, and giving a separate list with names and addresses of the county pupils on whose account the demand for payment is made, and a statement certified by the chairman of the amount apportioned out of the legislative grants during each of such years or during such period, and shall also furnish to the judge such further information as he may require. Material to be submitted on reference.
- 35.—(1) Where the board of a city or a separated town has notified the county clerk that the high school is open to county pupils on the same terms as high schools in the municipalities not separated from the county are open to such pupils, the county council shall, on or before the 15th day of December in each year, pay a sum equal to eighty per cent. of the cost of education of county pupils at such high school. Maintenance of county pupils at high schools.
- (2) Where the board of a city, town, village or township has notified the clerk of any county adjacent to that in which the high school is situate that such high school is open to pupils resident in such adjacent county on the same terms as to county pupils, the council of such adjacent county shall, on or before the 15th day of December in each year, pay for the education of pupils from such county attending such high school a sum equal to eighty per cent. of the cost of the education of pupils at such high school. Maintenance of pupils from adjacent county.

Contributions by city to cost of maintenance of pupils at school in adjoining municipality.

- (3) Where the board of a municipality contiguous to a city gives notice to the city clerk that such high school is open to city pupils on the same terms as it is open to the resident pupils of the municipality in which the high school is situate the council of the city shall, on or before the 15th day of December in each year, pay to the board eighty per cent. of the cost of the education of city pupils at the high school.

Mode of ascertaining amount payable by city.

- (4) The amount payable under subsections 1, 2 and 3 shall be ascertained as follows:—

The total expenditure on the high school shall be determined by taking the sum of the total expended for maintenance, the total expended in paying off debentures issued to pay for permanent improvements, and the total expended in paying interest on such debentures: From the total expenditure thus calculated the amount apportioned out of the legislative grant and any sums received for fees shall first be deducted, the remainder shall be divided by the total number of days' attendance of all pupils at such high school during the year for which payment is to be made, the resulting amount shall be multiplied by the total number of days' attendance of pupils in respect of whom such county or municipality is liable, the percentage prescribed shall then be determined and the resulting amount shall be the sum payable by such county or municipality.

Reference.

- (5) Where the parties do not agree as to the amount so payable the same shall be ascertained by the judge on the application of either party.

Submission of material on reference.

- (6) On the reference to the judge the board shall submit to him statements similar to those mentioned in subsection 6 of section 34, certified in a similar manner, and shall furnish such further information as he may require.

Rev. Stat., c. 268, s. 42, repealed.

**15.** Section 42 of *The High Schools Act* is repealed and the following substituted therefor:—

42.—(1) No fees shall be payable by pupils attending a <sup>When schools</sup> high school which they have a right to attend <sup>to be free.</sup> under the provisions of this Act.

(2) Pupils other than the pupils referred to in sub-<sup>When fees</sup> section 1 attending a high school shall pay such <sup>may be</sup> fees as the board may prescribe, but such fees <sup>charged.</sup> shall not be greater than the average cost per pupil for education in the high school.

(3) The fees payable under this section shall be payable <sup>Fees pay-</sup> to the treasurer of the board. <sup>able to</sup> <sup>treasurer.</sup>

**16.** *The High Schools Act* is amended by adding thereto <sup>Rev. Stat.,</sup> the following section:— <sup>c. 268, s. 50,</sup> <sup>amended.</sup>

50a. Subject to the approval of the Minister, a high <sup>Appoint-</sup> school board or a board of education may ap- <sup>ment of</sup> point one or more officers qualified according <sup>advisory</sup> to the regulations to collect and distribute in- <sup>officers.</sup> formation regarding available occupations and employments, and to offer such counsel to the pupils of the schools under the charge of the board as will enable them to plan intelligently for their vocational and educational advancement and every person so appointed shall be subject to the control of the board.

**17.** Section 12 of *The Teachers' and Inspectors' Super-* <sup>1917,</sup> *annuation Act* is amended by adding thereto the following <sup>c. 58, s. 12,</sup> subsection:— <sup>amended.</sup>

(2) Whenever it appears as a result of the valuation <sup>Regulations</sup> made under subsection 1 that after granting <sup>as to</sup> the benefits provided for in clauses *a* and *b* <sup>further or</sup> in that subsection, further or additional benefits. <sup>additional</sup> may be granted without impairing the solvency <sup>benefits.</sup> of the fund, the Lieutenant-Governor in Council upon the recommendation of the commission may make regulations—

(a) Reducing the number of years of employ-<sup>Reducing</sup> ment necessary to entitle a teacher or in- <sup>number</sup> spector to the superannuation allowance <sup>of years.</sup> provided for in section 11;

(b) Increasing the amount payable to a teacher <sup>Increasing</sup> or inspector retiring under section 11; <sup>amount.</sup>

(c)

Providing  
for return  
of con-  
tributions.

- (c) Providing for the return of contributions made to the fund with interest upon a teacher or inspector dying before becoming entitled to a pension under this Act.

1917,  
c. 53, s. 14,  
amended.

**18.** Section 14 of *The Teachers' and Inspectors' Superannuation Act* is amended by adding thereto the following subsection:—

Where  
payee  
insane, etc.

- (2) Notwithstanding anything in this Act contained, where any person to whom an allowance is payable under this Act, is insane or is otherwise physically or mentally incapable of managing his own affairs, or is an inmate of a hospital for the insane or of any institution, the commission appointed under section 13 may direct that any cheque for moneys payable to such person shall be made payable to his wife, or child, or to some other member of his family or household, and in that case the endorsement of the cheque by the person so designated by the commission shall be a sufficient discharge of the fund to the extent of such payment.

1919, c. 77,  
s. 5, subs. 1,  
amended.

**19.** Subsection 1 of section 5 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the following clause:—

Excusing  
attendance  
during  
music  
lessons.

- (g) The child is absent from school for the purpose of receiving instruction in music and the period of such absence does not exceed one half day in each week.

1919,  
c. 77, s. 9,  
subs. 1,  
repealed.

**20.** Subsection 1 of section 9 of *The School Attendance Act, 1919*, is repealed and the following substituted therefor:

Appoint-  
ment of  
attendance  
officers.

- (1) The board of education or public school board, high school board and separate school board in every urban municipality shall appoint a school attendance officer or two or more school attendance officers for the enforcement of this Act.

1919,  
c. 77, s. 9,  
sub. 2,  
amended.

Apprehend-  
ing and  
dealing with  
children  
absent from  
school.

**21.** Subsection 2 of section 9 of *The School Attendance Act, 1919*, is amended by inserting after the word "congregated" in the fifth line thereof the words "or at the request of the parent or guardian shall have authority to apprehend and deliver to the school from which he is absent or to his parent or guardian, without warrant, such child found illegally absent from school."

1919,  
c. 77, s. 10,  
amended.

**22.** Section 10 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the following words  
"but

"but a board of education or board of school trustees shall have authority to make a complete census of all children resident in the municipality or school section who are not of the age of twenty-one years."

Census of children by board.

**23.** Section 11 of *The School Attendance Act, 1919*, is amended by inserting after the word "warn" in the fifth line thereof the words "the parent or guardian of," and by striking out the words "and their parents and guardians" in the sixth line.

1919, c. 77, s. 11, amended. Inquiries as to non-attendance and notice to parents, etc.

**24.** Subsection 1 of section 14 of *The School Attendance Act, 1919*, is amended by striking out all the words therein down to the word "year" in the third line and substituting therefor the words "the teacher or principal of every public, separate, high or technical school shall once in each month of the school year or oftener if required by the municipal or school corporation appointing a school attendance officer."

1919, c. 77, s. 14, subs. 1, amended. Report by teacher of non-attendance.

**25.** Subsection 4 of section 14 of *The School Attendance Act, 1919*, is amended by adding at the end thereof the words "and to the school attendance officer."

1919, c. 77, s. 14, subs. 4, amended. How non-attendance or irregular attendance ascertained.

**26.** Section 17 of *The School Attendance Act, 1919*, is amended by adding after the words "Ontario Summary Convictions Act" the words "and shall be applied to such purposes as the Minister may direct."

1919, c. 77, s. 17, amended. Recovery of penalties.

**27.** Subsection 2 of section 16 of *The Adolescent School Attendance Act, 1919*, is amended by adding at the end thereof the words "and shall be applied to such purposes as the Minister may direct."

1919, c. 78, s. 16, subs. 2, amended. Recovery of penalties.

**28.**—(1) Section 5 of *The Consolidated Schools Act, 1919*, is amended by striking out the words "for the formation of a union school section" in the third line, and inserting in lieu thereof the words "to unite two or more school sections," and by striking out the word "union" in the eighth, eleventh and thirteenth lines.

1919, c. 75, s. 5, amended. Union school section may become consolidated school section.

(2) The said section 5 is further amended by adding thereto the following subsection:—

(2) Where the councils of two or more townships have passed or hereafter pass a by-law under section 20 of *The Public Schools Act* for the formation of a union school section the same terms and conditions, *mutatis mutandis*, shall apply as in the case of subsection 1 above.

Terms.

**29.** This Act shall come into force on the 1st day of July, 1921.

Commencement of Act.

## CHAPTER 90.

## An Act respecting Vocational Education.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.     **1.** This Act may be cited as *The Vocational Education Act, 1921.*

Interpre-     **2.** In this Act,  
tation.

“Board.”     (a) “Board” shall mean and include a board of education, a board of high school trustees, and a continuation school board;

“Minister”     (b) “Minister” shall mean Minister of Education;

“Regula-     (c) “Regulations” shall mean regulations made under  
tions.”     the authority of *The Department of Education*  
Rev. Stat.,     *Act* or of this Act.  
c. 265.

Application     **3.** This Act shall apply to all art, industrial and technical  
of Act.     schools and courses, heretofore established under Acts of this Legislature respecting high schools and technical schools and in operation at the time of the passing of *The Industrial Education Act*; to the industrial and art schools and courses and to the technical, the agricultural, and the commercial high schools and high school courses heretofore established under *The Industrial Education Act* and under the regulations; and to the vocational schools and departments hereafter established under this Act.

Classes of     **4.** With the approval of the Minister, a high school board,  
schools     a board of education, or a continuation school board of any  
which     municipality or school section may provide for duly ad-  
may be     mitted pupils in the following classes of vocational schools:  
established.

- (1) Industrial schools and departments;
- (2) Home-making schools and departments;
- (3) Art schools and departments;
- (4) Technical high schools and departments;
- (5) Agricultural high schools and departments;
- (6) Commercial high schools and departments.

**5.** Subject to the regulations or with the approval of the <sup>Vocational</sup> Minister, courses of instruction in the vocational schools <sup>schools.</sup> provided for in this Act may include—

- (1) General full-time day school courses of instruction;
- (2) Special full-time day school courses of instruction;
- (3) Part-time day school courses of instruction;
- (4) Evening school courses of instruction.

**6.**—(1) Pupils who may be duly admitted under the <sup>Admission</sup> regulations to a day high school may be admitted to any of <sup>of pupils to</sup> the vocational schools or departments provided for in this <sup>vocational</sup> Act. <sup>schools.</sup>

(2) For admission to a general full-time day course of <sup>Certificate,</sup> instruction in a commercial or a technical high school or <sup>when</sup> department, applicants shall hold certificates qualifying them <sup>required.</sup> for admission to a day high school.

(3) Subject to the regulations and on the report of the <sup>Report of</sup> principal approved by the advisory committee concerned, <sup>principal.</sup> pupils of at least the standing of the fourth form of the public and separate schools may be admitted to—

- (a) A general, a special, or a part-time course of instruction in an industrial, a home-making, or an art school or department;
- (b) A general, a special, or a part-time course of instruction in an agricultural high school or department;

(c)

- (c) A special or a part-time course of instruction in a commercial or a technical high school or department.

Workmen  
and work-  
women  
employed  
by day.

(4) Workmen or workwomen employed during the day may be admitted to a vocational evening school or course subject to the regulations and on the report of the principal, approved by the advisory industrial committee concerned, that they are competent to receive instruction therein.

Appoint-  
ment and  
jurisdiction  
of  
committees.

7. Where, in accordance with the regulations, one or more schools or departments to which this Act applies have been or may hereafter be established by a board, the said schools or departments shall be under the management and control of advisory committees appointed by the board to be known and to have jurisdiction as follows:—

Advisory  
industrial  
committee.

- (1) A committee to be known as the advisory industrial committee to have management and control of all industrial schools and departments, home-making schools and departments, art schools and departments, and technical schools and departments;

Advisory  
agricultural  
committee.

- (2) A committee to be known as the advisory agricultural committee to have management and control of all agricultural high schools and departments;

Advisory  
commercial  
committee.

- (3) A committee to be known as the advisory commercial committee to have management and control of all commercial high schools and departments;

Advisory  
vocational  
committee.

- (4) Where two or more of the vocational departments mentioned in section 4 of this Act are conducted in the same school and placed under the charge of the same principal, the board may, in lieu of the appointment of a separate advisory committee for each department, appoint one advisory committee to be known as the advisory vocational committee to have management and control of all the vocational courses conducted in the school.

Advisory  
industrial  
committee,  
how  
composed.

8.—(1) The advisory industrial committee shall be composed of eight or twelve persons as the board may direct, the members of which shall be appointed by the board as follows:—

(a)

(a) When the number of persons is eight—

- (i) Four members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, four members of the board, one of whom shall be a representative of the board of separate school trustees;
- (ii) Two persons, not members of the board, who are engaged as employees in the manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (iii) Two other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate;

(b) When the number of persons is twelve—

- (i) Six members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established six members of the board, one of whom shall be a representative of the separate school board;
- (ii) Three persons, not members of the board, who are engaged as employees in the manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (iii) Three other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing or other industries carried on in the local municipality or in the county or district in which the school is situate.

Advisory  
agricultural  
or com-  
mercial  
committee,  
how  
composed.

(2) The advisory agricultural or commercial committee shall be composed of eight persons, the members of which shall be appointed by the board as follows:—

- (a) Four members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, four members of the board, one of whom shall be a representative of the board of separate school trustees;
- (b) Four persons who are resident ratepayers of the local municipality or of the county or district in which the school is situate or the course is established who are not members of the board and who—
  - (i) In the case of an agricultural high school or agricultural course are actually engaged in agricultural pursuits; or
  - (ii) In the case of a commercial high school or commercial course are actually engaged in commercial pursuits.

Advisory  
vocational  
committee,  
how  
composed.

(3) The advisory vocational committee provided for in subsection 4 of section 7 shall be composed of twelve persons, the members of which shall be appointed by the board as follows:—

- (a) Six members of the board, including one representative of the board of public school trustees and one representative of the board of separate school trustees, if any; and where a board of education is established, six members of the board, one of whom shall be a representative of the separate school board;
- (b) Three persons, not members of the board, who are engaged as employees in the manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate; and
- (c) Three other persons, not members of the board, who are employers of labour or directors of companies employing labour in manufacturing, agricultural, commercial, or other industries carried on in the local municipality or in the county or district in which the school is situate.

**9.**—(1) The first members of an advisory committee shall be appointed at the meeting of the board at which a school or department is established for which an advisory committee is to be appointed under this Act. Appointment of members of committee.

(2) The members appointed under subclause (i) of clause (a) of subsection 1 of section 8 and subclause (i) of clause (b) of section 8 and clause (a) of subsection 2 of section 8 and clause (a) of subsection 3 of section 8 shall hold office until the expiry of the period for which they were elected or appointed to the board. Tenure of office of members who are members of Board.

(3) The term for which the other members of the committee shall respectively hold office shall be fixed by the board, but shall not exceed three years. Tenure of office of other members.

(4) The board, at its first meeting in each year after the establishment of the school or department, shall appoint a sufficient number of members from each class to fill the vacancies caused by the expiry of the term of office of members appointed from that class. Filling vacancies caused by retirement.

(5) Every vacancy upon a committee occasioned by death, removal or other cause shall be filled by the appointment by the board of some person from the class in which the vacancy occurs, and every person so appointed shall hold office for the unexpired portion of the term of the member whose seat has become vacant. Filling other vacancies.

(6) The presence of a majority of the members constituting a committee shall be a quorum at any meeting, and a vote of the majority of such quorum shall be necessary to bind a committee. Quorum.

(7) On every question other than the election of a chairman the chairman or presiding officer of the committee may vote with the other members of the committee, and any question on which there is an equality of votes shall be deemed to be negatived. Chairman voting.

**10.**—(1) An advisory committee may, at a meeting which has been specially called for that purpose and of which notice has been given in writing to all the members, appoint such additional members, hereinafter called co-opted members, as it may deem advisable, and members of the board may be so appointed: but Co-opted members.

(a) In the case of an advisory industrial committee an equal number of the persons so appointed shall

be

be chosen from each of the classes mentioned in subclauses (ii) and (iii) of clauses (a) and (b) of subsection 1 of section 8; and

- (b) In all cases the members so appointed shall belong to the classes from which persons not members of the board may be appointed by the board to the committee.

Tenure of office.

- (2) The term for which co-opted members of the committee shall respectively hold office shall be fixed by the committee, but shall not exceed three years.

Qualification of members.

- 11.** The members of an advisory committee appointed under this Act, including co-opted members, shall be British subjects, and shall be persons who, in the judgment of the board, are specially competent to give advice and other assistance in the management of the school or department under the charge of the committee.

Powers of committee subject to approval of Minister and board.

- 12.**—(1) Subject to the approval of the Minister and the board, every advisory committee shall have authority to provide a suitable site and building and suitable equipment or to arrange for conducting the school or department in a high, public, separate or continuation school building or other building in the municipality, and to prescribe courses of study and provide for examinations and diplomas.

Powers subject to approval of board.

- (2) Subject to the approval of the board, the committee shall employ teachers and fix their salaries, report on every school or department under its charge, fix the fees payable by pupils in attendance, submit annually to the board at such date as the board may prescribe an estimate of the amount required to carry on the work of the school or department during the year, and generally do all other things necessary for carrying out the objects and intent of this Act with respect to any school or department under its management and control.

When approval withheld.

- (3) The board shall not refuse its approval of any report of an advisory committee without having given the committee an opportunity to be heard before the board and before any committee thereof to which such report may be referred by the chairman of the advisory committee or by another member of the advisory committee appointed for that purpose.

Officers of the committee.

- (4) The secretary and other officers of the board shall be the officers of the advisory committee.

(5) Subject to the approval of the Minister an advisory committee may appoint one or more officers with qualifications approved by the Minister to bring to the attention of employers and employees the work of the schools or departments, and to make the necessary arrangements between employers, employees, and the schools or departments for the conduct of part-time or co-operative classes, and, in general, to act as a co-ordinating officer between the local industries and the schools or departments, and every such person so appointed shall be subject to the control of the advisory committee.

**13.**—(1) Subject to the regulations the estimates of the committee of the cost of establishing, equipping and maintaining the school or department under its management and control, when and so far as they have been approved by the board, shall be included in the estimates of the board submitted to the council of the municipality for the year.

(2) Subject to the regulations, the cost of establishing and maintaining, and of making additions, alterations or permanent improvements to every school established under section 4 or under chapter 79 of the Acts passed in the 1st year of His Majesty's reign or under *The Industrial Education Act*, shall be provided in the same manner as in the case of a high school.

**14.** Subject to the regulations the Minister shall apportion all sums of money appropriated by this Legislature for the establishment and maintenance of schools or departments to which this Act applies.

**15.** The regulations may provide as to any class of schools or departments for the qualifications of teachers, the courses of study, the character of the site, accommodations, and equipment, the maximum and minimum fees that may be charged to pupils, and generally as to any matter relating to the conduct and efficiency of the schools and departments not herein expressly provided for.

**16.** Subject to the Minister's approval where an advisory committee and the board of education or the board of public or separate school trustees so agree, evening courses in manual training and household science, art, agriculture or commerce under the charge of the board shall thereafter be under the control and management of the advisory, industrial, agricultural or commercial committee as the case may be.

**17.** Subject to the approval of the Minister an advisory committee may also establish and conduct special evening courses in other centres.

courses in any centre in the county outside of the district over which it has jurisdiction.

Rev. Stat.  
c. 276, 1915,  
c. 43, ss. 9,  
10; 1917,  
c. 27, s. 55;  
1918, c. 51,  
s. 12; 1920,  
c. 102,  
repealed.

**18.** *The Industrial Education Act*, being chapter 276 of the Revised Statutes of Ontario, 1914; sections 9 and 10 of *The School Law Amendment Act, 1915*; section 55 of *The Statute Law Amendment Act, 1917*; and section 12 of *The School Laws Amendment Act, 1918*, are repealed.

Commence-  
ment of  
Act.

**19.** This Act shall come into force on the 1st day of July, 1921.

## CHAPTER 91.

## An Act to amend The School Sites Act.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. *The School Sites Act* is amended by adding thereto the following section:—

Rev. Stat.,  
c. 277,  
amended.

- 5b. At any time after a board passes a resolution declaring that any land is required for a school site, or for the enlargement of a school site and that immediate possession thereof is required by it, the board, by leave of the judge and upon payment into the Supreme Court of Ontario of a sum sufficient, in the opinion of the judge, to satisfy the compensation, may enter upon and take possession of the land, and if any resistance or forcible opposition is made to its so doing, the judge may issue his warrant to the sheriff of the county in which the land lies to put the board in possession, and to put down such resistance or opposition, which the sheriff taking with him sufficient assistance, shall accordingly do.

## CHAPTER 92.

## An Act to amend The Ontario Parole Act, 1917.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Ontario Parole Amendment Act, 1921*.

1917, c. 63,  
s. 3,  
amended.  
Board of  
Parole.

**2.** Section 3 of *The Ontario Parole Act, 1917*, is amended by striking out the word “seven” in the fourth line thereof, and substituting therefor the word “nine.”

1917, c. 63,  
s. 4 (1),  
repealed.

**3.** Subsection 1 of section 4 of *The Ontario Parole Act, 1917*, is repealed and the following substituted therefor:—

Chairman  
and  
secretary.

**4.—(1)** The Lieutenant-Governor in Council shall appoint a chairman and secretary of the board.

1917, c. 63,  
s. 5,  
repealed.

**4.** Section 5 of *The Ontario Parole Act, 1917*, is repealed and the following substituted therefor:—

Parole Com-  
missioner.

**5.** The Lieutenant-Governor in Council may appoint an officer to be known as the Chief Parole Officer, who shall have such powers and perform such duties as may be prescribed by the regulations, and may appoint such assistants to the Chief Parole Officer as may be deemed necessary, and shall define the powers and duties of such assistants.

Powers  
and  
duties.

1917, c. 63,  
s. 6,  
amended.

Salary of  
Chief Parole  
Officer.

**5.** Section 6 of *The Ontario Parole Act, 1917*, is amended by striking out the words “Parole Commissioner,” in the first line and inserting in lieu thereof the words “Chief Parole Officer and his assistants.”

6. Clause *a* of subsection 1 of section 10 of *The Ontario Parole Act, 1917*, is amended by striking out the words "Parole Commissioner" in the second line thereof and inserting in lieu thereof the words "Chief Parole Officer and his assistants." 1917, c. 63, s. 10 (1), cl. a, amended. Regulations.

7. Section 12 of *The Ontario Parole Act, 1917*, is amended by striking out the words "Parole Commissioner" in the fifth line thereof and substituting therefor the words "Chief Parole Officer or his assistants." 1917, c. 63, s. 12, amended. Re-taking prisoners on breach of conditions of parole.

8. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 93.

## An Act respecting The Extramural Employment of Persons under Sentence.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

**1.** This Act may be cited as *The Extramural Employment of Sentenced Persons Act, 1921.*

Authoriza-  
tion for  
extramural  
employ-  
ment.

**2.** The Lieutenant-Governor in Council may from time to time authorize, direct or sanction the employment on any work or duty without or beyond the limits of any gaol, industrial farm, reformatory or other place of safe custody under the jurisdiction or control of the Province of Ontario, of any persons confined or sentenced to be imprisoned therein, or transferred thereto under any Statute of the Dominion of Canada or of Ontario, but this shall not apply in the case of prisoners transferred by warrant of the Minister of Justice, pursuant to the provisions of Sections 53 and 56, Chap. 147, of the Revised Statutes of Canada.

Proviso.

Such per-  
sons to be  
subject to  
rules and  
regula-  
tions.

**3.** All such persons shall, during such employment, be subject to such rules, regulations and discipline as are approved by the Lieutenant-Governor in Council in that behalf.

Appoint-  
ment and  
powers of  
officer.

**4.** The Lieutenant-Governor in Council may appoint an officer who shall have such custodial and other powers with respect to persons removed from any such gaol, industrial farm, reformatory or other place of safe custody for the purpose of employment elsewhere under this Act from the time of such removal and during the period of such employment and until the return of the persons so employed to the place of safe custody or their discharge by due process of law as may be conferred or prescribed by the rules and regulations.

Commence-  
ment  
of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

## CHAPTER 94.

## An Act respecting the Village of Acton.

*Assented to April 8th, 1921.*

**W**HEREAS the Corporation of the Village of Acton has Preamble  
 by its petition represented that the council of the said  
 corporation on the 20th day of December, A.D. 1920, duly  
 passed by-law number 504 providing for the borrowing of  
 \$70,000 upon debentures for the purpose of paying for the  
 construction of a waterworks system in the said Village of  
 Acton, on certain streets in the said village as hereinafter set  
 forth, under *The Local Improvement Act*; and whereas Rev. Stat.  
C. 193  
 doubts have arisen as to the legality of the said by-law owing  
 to the failure to carry out certain requisites provided in *The*  
*Local Improvement Act*; and the said corporation has by its  
 petition prayed that an Act be passed validating and confirm-  
 ing the said by-law and the debentures issued or to be issued  
 thereunder; and whereas it is deemed expedient to grant the  
 prayer of the said petition;

Therefore, His Majesty, by and with the advice and con-  
 sent of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:

1. By-law Number 504 of the Village of Acton to provide By-law  
No. 504  
confirmed.  
 for borrowing \$70,000 upon debentures to pay for the con-  
 struction of a waterworks system in the Village of Acton on  
 certain streets, and set out as schedule "A" hereto, and all  
 proceedings connected therewith, including the special  
 assessment roll prepared by the engineer, and all debentures  
 issued or to be issued thereunder are confirmed and declared  
 to be legal, valid and binding upon the said corporation of  
 the Village of Acton, and the ratepayers thereof.

## SCHEDULE "A."

## BY-LAW No. 504.

By-law to provide for borrowing \$70,000 upon debentures to pay for the construction of a waterworks system in the Village of Acton, on the following streets:—

Willow Street, from River Street to Mill Street.  
Willow Street, from Church Street to Agnes Street.  
Mill Street, from Park Street to Lot 67.  
Main Street, from S. Boundary of Village to Lot 117.  
Church Street, from Lot 5 to Guelph Street.  
Guelph Street, from Mill Street to Lot 34.  
Agnes Street, from Frederick Street to Willow Street.  
Bower Street, from Willow Street to G.T.R.  
Brock Street, from Victoria Street to Main Street.  
Knox Street, from Main Street to Prospect Park.  
Park Street, from Mill Street to Knox Street.  
River Street, from Willow Street to Main Street.  
W. Bower Street, from Willow Street to Lot 170.  
Young Street, from Mill Street to Queen Street.  
Arthur Street, from Young Street to Lot 54.  
Peel Street, from Young Street to Wellington Street.  
John Street, from Mill Street to Lot 21.  
John Street, from Agnes Street to Lot 5.  
John Street, from Church Street to Lot 17.  
Elgin Street, from Agnes Street to Lot 10.  
Frederick Street, from Church Street to Agnes Street.  
Frederick Street, from Mill Street to Lot 46.  
Wilbur Street, from Mill Street to Lot 49.  
Agnes Street, from Guelph Street to Maria Street.  
Maria Street, from Agnes Street to Lot 13.  
Wellington Street, from Peel Street to Lot 62.  
Lake Avenue, from Park Street to Village Boundary.

Whereas, pursuant to Construction By-law No. 503, passed on the twentieth day of December, A.D. 1920, a waterworks system has been constructed on the streets hereinbefore mentioned, as a local improvement under the provisions of *The Local Improvement Act*;

And whereas the total cost of the work is \$70,000, of which \$35,000 is the Corporation's portion of the cost, and \$35,000 is the owner's portion of the cost, for which a special assessment roll has been duly made and certified;

And whereas the estimated lifetime of the work is fifty years;

And whereas it is necessary to borrow the said sum of \$70,000 on the credit of the Corporation, and to issue debentures therefor bearing interest at the rate of six and one-half per cent. per annum, which is the amount of the debt intended to be created by this by-law;

And whereas it is expedient to make the principal of the said debt repayable in yearly sums during the period of thirty years, of such amounts respectively that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years;

And whereas it will be necessary to raise annually the sum of \$5,360.43 during the period of thirty years to pay the said yearly sums of principal and interest as they become due, of which \$2,680.21 is required to pay the Corporation's portion of the cost and the interest

interest thereon, and \$2,680.22 is required to pay the owners' portion of the cost and the interest thereon;

And whereas the amount of the whole rateable property of the municipality, according to the last revised assessment roll, is \$651,264;

And whereas the amount of the existing debenture debt of the Corporation is \$101,172.75, and no part of the principal or interest is in arrear;

Therefore the Municipal Council of the Corporation of the Village of Acton enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation at large the sum of seventy thousand dollars (\$70,000), and debentures shall be issued therefor in sums of not less than \$100 each, bearing interest at the rate of six and one-half per cent. per annum, and having coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the day on which this by-law is passed, and may bear any date within such two years, and shall be payable in thirty annual instalments during the thirty years next after the time when the same are issued, and the respective amounts of principal and interest payable in each of such years shall be as follows:—

No. of Year.	Principal.	Interest.	Total.
1 .....	\$810 43	\$4,550 00	\$5,360 43
2 .....	863 07	4,497 36	5,360 43
3 .....	919 21	4,441 22	5,360 43
4 .....	978 92	4,381 51	5,360 43
5 .....	1,042 55	4,317 88	5,360 43
6 .....	1,110 31	4,250 12	5,360 43
7 .....	1,182 48	4,177 95	5,360 43
8 .....	1,259 34	4,101 09	5,360 43
9 .....	1,341 24	4,019 19	5,360 43
10 .....	1,428 39	3,932 04	5,360 43
11 .....	1,521 28	3,839 15	5,360 43
12 .....	1,620 12	3,740 31	5,360 43
13 .....	1,725 47	3,634 96	5,360 43
14 .....	1,837 61	3,522 82	5,360 43
15 .....	1,957 03	3,403 40	5,360 43
16 .....	2,084 35	3,276 08	5,360 43
17 .....	2,219 80	3,140 63	5,360 43
18 .....	2,364 07	2,996 36	5,360 43
19 .....	2,517 72	2,842 71	5,360 43
20 .....	2,681 38	2,679 05	5,360 43
21 .....	2,855 68	2,504 75	5,360 43
22 .....	3,041 25	2,319 18	5,360 43
23 .....	3,238 93	2,121 50	5,360 43
24 .....	3,449 49	1,910 94	5,360 43
25 .....	3,673 70	1,686 73	5,360 43
26 .....	3,912 47	1,447 96	5,360 43
27 .....	4,166 78	1,193 65	5,360 43
28 .....	4,437 61	922 82	5,360 43
29 .....	4,726 08	634 35	5,360 43
30 .....	5,033 24	327 19	5,360 43

\$70,000 00

3. The reeve of the Corporation shall sign and issue the debentures and interest coupons, and the same shall also be signed by the treasurer of the corporation, and the debentures shall be sealed with the seal of the Corporation.

4. During thirty years, the currency of the debentures, the sum of \$5,360.43 shall be raised annually for the payment of the debt and interest, as follows:—

The sum of \$2,680.21 shall be raised annually for the payment of the corporation's portion of the cost and the interest thereon, and shall be levied and raised annually by a special rate sufficient therefor, over and above all other rates, on all the rateable property in the municipality, at the same time and in the same manner as other rates.

For the payment of the owners' portion of the cost and the interest thereon, the special assessment set forth in the said special assessment roll is hereby imposed upon the lands liable therefor as therein set forth; which said special assessment, with a sum sufficient to cover interest thereon at the rate aforesaid shall be payable in thirty equal annual instalments of \$2,680.22 each, and for that purpose is hereby imposed upon each lot entered in the said special assessment roll, according to the assessed frontage thereof, over and above all other rates and taxes, which said special rate shall be collected annually by the collector of taxes for the corporation, at the same time and in the same manner as other rates.

5. The debentures may contain any clause providing for the registration thereof, authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

6. The amount of the loan authorized by this by-law may be consolidated with the amount of any loans authorized by other local improvement by-laws, by including the same with such other loans in a consolidated by-law authorizing the borrowing of the aggregate thereof as one loan, and the issue of debentures for such loan in one consecutive issue, pursuant to the provisions of the statute in that behalf.

7. This By-law shall take effect on the day of the final passing thereof.

Passed this 20th day of December, 1920.

(Sgd.) GEORGE BARBER,  
*Reeve.*

(Sgd.) H. N. FARMER,  
*Clerk.*

(Seal.)

CHAPTER 95.

An Act respecting the City of Belleville.

*Assented to April 8th, 1921.*

**W**HEREAS the Corporation of the City of Belleville Preamble.  
has by petition represented that at a joint meeting held at the Town of Picton, on the 5th day of October, 1920, the municipal councils of the County of Prince Edward and of the City of Belleville, in the presence of the Honourable Mr. Biggs, Minister of Public Works and Highways, it was decided to purchase the bridge which crosses the Bay of Quinte, connecting the said City of Belleville and the Township of Ameliasburg, in the County of Prince Edward, and its approaches and other property belonging and appurtenant thereto, for the price of \$85,000; and that it was agreed between the said municipal councils and the Honourable the Minister of Public Works and Highways, that the Government of Ontario and the said municipalities should pay the following portions of the said purchase price of \$85,000, viz.:—

Province of Ontario.....	\$35,000
City of Belleville.....	30,000
County of Prince Edward.....	20,000
<hr/>	
Total .....	\$85,000

and that the Belleville and Prince Edward Bridge Com- 7 Geo. V,  
pany, the owners of the said bridge, had consented to sell c. 16.  
the said bridge, etc., for the price named; and that *The Provincial Highway Act* authorizes municipal corporations to pass by-laws for issuing debentures to meet the expenditure for the construction of highways; and that the Department of Public Highways has approved of the debentures of the City of Belleville, for the purpose aforesaid, being issued payable in fifteen years; and the purchase of the said bridge is deemed to be part of the construction of the highway to and through the County of Prince Edward from the City of Belleville; and that the Municipal Council of  
the

the City of Belleville, to carry out its part of the said agreement, passed, on the 15th day of November, 1920, its By-law No. 2286 without obtaining the assent of the electors of the municipality of the City of Belleville, authorizing the issuing of its debentures to the amount of \$30,000 for the purpose aforesaid; and whereas the Corporation of the City of Belleville by its petition has prayed that an Act be passed validating, legalizing and confirming said By-law No. 2286, without obtaining the assent of the electors of the municipality of the City of Belleville; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

By-law  
No. 2286 of  
City of  
Belleville  
confirmed.

1. By-law No. 2286 of the Corporation of the City of Belleville, entitled "A by-law to authorize the issue of debentures of the Corporation of the City of Belleville to the amount of \$30,000, for the purpose of paying the Corporation's share of the purchase price of the bridge of the Belleville and Prince Edward Bridge Company, which crosses the Bay of Quinte, connecting the said City of Belleville and the Township of Ameliasburg, in the County of Prince Edward, and its approaches and other properties belonging and appurtenant to the said bridge," finally passed by the Council of the said Corporation on the 15th day of November, 1920, as set out in Schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the said Corporation of the City of Belleville and the ratepayers thereof, notwithstanding any want of jurisdiction or power on the part of the said corporation to pass the said by-law, and notwithstanding any defect in substance or form of the said by-law, or in the manner of passing the same, and the Council of the said Corporation of the City of Belleville is hereby authorized and empowered to contribute its share or portion of the purchase price of the said bridge, as set out in said By-law No. 2286, and pay the same to the proper parties upon the said bridge, its approaches and other property belonging and appurtenant to the said bridge, being conveyed to His Majesty the King, represented by the Minister of Public Works and Highways of the Province of Ontario, by a proper conveyance or conveyances with a good title free from all encumbrances and all dowers barred.

Confirma-  
tion of  
debentures.

2. The debentures issued, or to be issued, under the said by-law are hereby confirmed and declared to be legal, valid

and

and binding upon the said Corporation of the City of Belleville, and the ratepayers thereof.

3. Notwithstanding anything contained in this Act or the said By-law No. 2286, the Council of the Corporation of the City of Belleville may, in the manner and for the purpose set out in section 291 of *The Municipal Act*, pass a by-law amending the said By-law No. 2286; and any such amended by-law so passed shall be valid and binding on the said corporation and the ratepayers thereof.

Amendment  
of by-law.  
Rev. Stat.,  
c. 192.

4. This Act shall come into force on the day on which it receives the Royal Assent.

Date when  
Act takes  
effect.

## SCHEDULE "A."

## BY-LAW No. 2286.

A by-law to authorize the issue of debentures of the Corporation of the City of Belleville to the amount of \$30,000, for the purpose of paying the Corporation's share of the purchase price of the bridge of the Belleville and Prince Edward Bridge Company, which crosses the Bay of Quinte, connecting the said City of Belleville and the Township of Ameliasburg, in the County of Prince Edward, and its approaches and other properties belonging and appurtenant to the said bridge.

Passed the 15th day of November, 1920.

Whereas, by *The Provincial Highway Act*, power is given to municipal corporations to pass by-laws for the issuing of debentures to meet the expenditure for construction of highways, payable within such period as the Department of Public Highways may approve, not exceeding twenty years from the date of the issue of the debentures, for an amount sufficient to pay its share of the cost of construction apportioned to it, making the debt payable in equal annual instalments of principal and interest;

And whereas the purchase of the said bridge is deemed to be a part of the construction of the highway to and through the said Township of Ameliasburg and the County of Prince Edward from the City of Belleville;

And whereas, at a joint meeting held at the Town of Picton on the 5th day of October, 1920, the Municipal Councils of the County of Prince Edward and of the City of Belleville, in the presence of the Honourable Mr. Biggs, Minister of Public Works and Highways, it was decided to purchase the said bridge for the price of eighty five thousand dollars (\$85,000);

And whereas it was agreed between the said Municipal Councils respectively, and the Honourable Minister of Public Works and Highways, that the municipalities and Government of Ontario should pay the following proportions of the said purchase price of \$85,000, viz:

Province of Ontario.....	\$35,000-
City of Belleville.....	30,000
County of Prince Edward.....	20,000
	<hr/>
	\$85,000

And whereas, at a meeting of the Council of the Municipality of the City of Belleville, held on the 6th day of October, 1920, in the Council Chamber in the City of Belleville, the said Council did, by resolution, ratify and confirm the said agreement, and did also give instructions for the preparation of a by-law authorizing the issue of debentures to the amount of \$30,000 for the purpose aforesaid;

And whereas it is deemed advisable that the said bridge, its approaches and other properties belonging and appurtenant to the said bridge should be conveyed to His Majesty the King, represented by the Minister of Public Works and Highways for the Province of Ontario;

And whereas, in order to enable the City to make the payments of its share of the said purchase price of the said bridge, it will be necessary to issue debentures of the said municipality for the sum of \$30,000 as hereinafter provided (this is the amount of the

the debt intended to be created by this by-law), the proceeds of the said debentures to be applied to the purpose aforesaid, and to no other;

And whereas it is expedient to provide that the said loan shall be repayable in yearly sums during a period of fifteen years, in such amounts respectively that the aggregate amount payable for principal and interest in any year of the said term shall be equal as near as may be to the amounts so payable for principal and interest in each of the other years;

And whereas the amount of the whole rateable property of the Municipality of the City of Belleville, according to the last revised assessment roll, is \$7,471,720;

And whereas the amount of the existing debenture indebtedness of the Corporation of the City of Belleville (exclusive of debt for local improvement) is \$1,181,505.96, and no part of the principal and interest is in arrears;

Therefore the Municipal Council of the Corporation of the City of Belleville enacts as follows:—

1. That for the purpose aforesaid there shall be borrowed on the credit of the Corporation of the City of Belleville \$30,000, and debentures shall be issued therefor, in sums of not less than \$100 each, bearing interest at the rate of six per cent.

2. The debentures shall all bear the same date and shall be issued within two years from the date when this by-law was passed, and may bear any date within such two years, and shall be payable in fifteen annual instalments during the fifteen years next after the time when the same were issued, and the respective amounts of principal and interest payable in each of such years shall be payable as follows:—

Year.	Principal.	Interest.	Total.
1. ....	\$1,288 88	\$1,800 00	\$3,088 88
2. ....	1,366 22	1,722 66	3,088 88
3. ....	1,448 19	1,640 69	3,088 88
4. ....	1,535 08	1,553 80	3,088 88
5. ....	1,627 19	1,461 69	3,088 88
6. ....	1,724 82	1,364 06	3,088 88
7. ....	1,828 31	1,260 57	3,088 88
8. ....	1,938 00	1,150 88	3,088 88
9. ....	2,054 28	1,034 60	3,088 88
10. ....	2,177 54	911 34	3,088 88
11. ....	2,308 19	780 69	3,088 88
12. ....	2,446 68	642 20	3,088 88
13. ....	2,593 49	495 39	3,088 88
14. ....	2,749 09	339 79	3,088 88
15. ....	2,914 04	174 84	3,088 88
	<hr/>		
	\$30,000 00		

3. The debentures, as to both principal and interest, may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound (£1) sterling for each four dollars and eighty-six and two-thirds cents (\$4.86 $\frac{2}{3}$ ), and may be payable in any place or places in Canada or Great Britain.

4. Each of the said debentures shall be signed by the Mayor of the said Corporation, or by some other person authorized by by-law to sign the same, and by the Treasurer of the said City of Belleville, and the Clerk shall attach thereto the corporate seal of the municipality; and the said debentures shall have attached to them coupons for the payment of interest, which coupons shall be signed  
by

by the Treasurer of the Corporation, as provided by *The Municipal Act*.

5. During the currency of the said debentures there shall be raised annually by a special rate on all the rateable property of the said City of Belleville, the sum of \$3,088.88 for the purpose of paying the amount due in each of the several years for principal and interest in respect of the said debt.

6. This by-law shall come into force and take effect immediately on and after the same has been ratified and approved by an Act of the Legislature of the Province of Ontario.

W. B. RIGGS,  
*Mayor.*

J. WILFRED HOLMES,  
*City Clerk.*

## CHAPTER 96.

## An Act respecting the County of Carleton

*Assented to May 3rd, 1921.*

**W**HEREAS the Municipal Corporation of the County Preamble. of Carleton has, by petition, prayed for special legislation in regard to the matters hereinafter set forth; and whereas the corporation has a statutory liability for the erection and maintenance of the bridge (colloquially known as Cummings Bridge) situate upon and across the Rideau River and connecting the easterly part of Rideau Street in the City of Ottawa with the westerly part of Main Street in the Town of Eastview at a point where said river forms the boundary line between the County of Carleton and the City of Ottawa, and is required by law to satisfy the said liability; and whereas the aggregate amount of the said liability has not yet been fully ascertained, but it is estimated it will amount to approximately \$200,000; and whereas the said corporation is liable to pay to the owners of toll roads mentioned in *The County of Carleton Act, 1920*, the amounts fixed for compensation of said owners; and whereas the said corporation has a statutory liability for the erection and maintenance of a bridge situate upon and across the Rideau River and connecting the Township of Marlborough, in the County of Carleton, and the Township of Oxford, in the United Counties of Leeds and Grenville, at a point known as Burritt's Rapids, where the said river forms the boundary line between said municipalities, and is required by law to satisfy the said liability; and whereas the aggregate amount of the said last-mentioned liability has not yet been ascertained, but it is estimated it will amount to approximately \$25,000; and whereas the erection of the said bridge is permanent work, the duration of which is estimated to be seventy-five years and upwards; and whereas the corporation is not authorized to issue debentures for the purpose of raising the necessary moneys aforementioned without the assent of the electors of the County of Carleton, or with such assent for a longer period than twenty years; and whereas provision for

said

said payment cannot be made expediently or equitably except by special authorization; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

9 Geo. V.  
c. 87, s. 1,  
amended.

9 Geo. V.  
c. 87, s. 3,  
amended.

1. That section 1 of *The County of Carleton Debenture Act, 1919*, be and the same is hereby amended by striking out the figures “\$100,000” appearing therein, and inserting in lieu thereof the figures “\$200,000”; and by inserting after the word “six” in the second line of section 3 thereof the words “and one-half.”

Power to  
issue  
debentures.

2. That the Municipal Corporation of the County of Carleton may, and is hereby authorized to, provide by by-law or by-laws, passed by and with the assent of two-thirds of the members of council of the said corporation, representing at least one-half of the total equalized assessment of said county, for the borrowing, upon the issue or issues of debentures, of a sum or sums not exceeding in the aggregate \$60,000, to provide to that extent moneys for payment to the owners of toll roads mentioned in *The County of Carleton Act, 1920*, of the amounts fixed for compensation of said owners and for payment of the incidental costs of expropriations of and arbitrations relative to toll roads; and \$25,000 to provide for the said corporation's share of the cost, charges, compensation, damages and expenses incurred in and incidental to the erection of a concrete and steel bridge situate upon and across the Rideau River and connecting the Township of Marlborough, in the County of Carleton, and the Township of Oxford, in the United Counties of Leeds and Grenville, at a point known as Burritt's Rapids, where the said river forms the boundary line between said municipalities.

Temporary  
advances.

3. That the council of the said corporation of the County of Carleton may agree with any chartered bank or loan or trust corporation or with any person for temporary advances to meet the liabilities of said corporation from time to time with respect to said toll roads and Cummings Bridge.

Terms of  
payment.

4. The said debentures shall bear interest at a rate not exceeding six and one-half per cent. per annum, payable yearly or half-yearly as may be provided by by-law or by-laws of the corporation, and shall be payable within forty years from the date of issue thereof in such amounts respectively, not less than \$100, that the aggregate amount

payable

payable for principal and interest in each year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years of the said period.

5. It shall not be necessary to obtain the assent of the electors of the said County of Carleton to the passing of any by-law which shall be passed under the provisions of this Act, or to observe the formalities in relation to the passing of by-laws prescribed by *The Municipal Act* or amendments thereto.

Assent of electors not required.

Rev. Stat., c. 192..

6. Any provisions in the Acts respecting municipal institutions in the Province of Ontario which are, or may be, inconsistent with the provisions of this Act, shall not apply to the by-law or by-laws to be passed under the provisions of this Act, and no irregularity in the form of the said debentures or any of them authorized to be issued by this Act, or the by-law or by-laws authorizing the issue thereof, shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of the amount of the said debentures, or interest thereon, or any or either of them, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-laws or of the issue of such debentures, or as to the application of the proceeds thereof.

Inconsistent enactments not to apply.

Irregularities not to invalidate.

7. This Act shall come into force upon the day upon which it receives the Royal Assent.

Act to become effective.

8. This Act may be cited as *The County of Carleton Act*.

Short Title.

1921.

## CHAPTER 97.

## An Act respecting the City of Chatham.

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS the Corporation of the City of Chatham has by its petition represented that on the eighth day of December, 1919, a certain by-law, numbered 1557, was passed by the council of the said city for submitting to the electors the question whether they were or were not in favour of applying to the Legislature for authority to adopt in the said city a system of municipal government by a smaller elective council with a city manager; and whereas the said question was duly submitted to the electors accordingly on the first day of January, 1920, who, by a majority of votes, declared themselves in favour of the said system or form of government; and whereas the council of said corporation, in furtherance of the electors' expressed desire, did, on the 29th day of November, 1920, pass a by-law, numbered 1623, for submitting to the said electors the further question whether they were or were not in favour of an application being made to the Legislature to pass an Act with respect to the method and date of election, number and tenure of office of the members of the said council, with right and power to the council to appoint and employ a city manager having authority to manage and control generally the administrative affairs of the said corporation, to the extent and in the manner hereinafter set forth; and whereas the last-mentioned question was duly submitted accordingly to the said electors at the annual election on the first day of January, 1921, who, by a majority of their votes, declared themselves in favour of said application; and whereas the said council is desirous of carrying into effect the wishes of the electors, and has petitioned the Legislature for the passing of an Act accordingly; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. From and after the fifteenth day of October, 1921, this Act shall apply to and govern the Corporation of the City of Chatham; and in so far as the provisions hereof shall alter, vary or conflict with any of the provisions of *The Municipal Act* or any other Statute of this province relating to municipal corporations, or amendments thereof, the provisions of this Act shall prevail accordingly.

Application of Act.  
Rev. Stat., c. 192.

2. Nomination meeting for members of the council of the said corporation shall hereafter be held annually on the last Monday in the month of October, and the election of members thereof shall hereafter be held annually on the first Monday in the month of November; provided that if the day so fixed for nomination meeting or election shall in any year fall on a holiday, such nomination meeting or election (as the case may be) shall be held on the next following day.

Date of nomination and polling.

3. From and after the thirty-first day of December, 1921, the council of the said corporation shall be composed of and comprise seven aldermen and a mayor, who shall be elected by general vote of the qualified electors of the said city. Of the said seven aldermen the four obtaining the highest number of votes at the election held in November, 1921, shall hold office for the term of two years from and after the thirty-first day of December, 1921, and the remaining three aldermen shall hold office for the term of one year from and after the last-mentioned date; and the mayor shall also hold office for the term of two years from and after the said last-mentioned date; provided that in the event of the election by acclamation of all seven aldermen at the election in November, 1921, the four aldermen having the highest assessment in the said city, according to the last revised assessment roll, shall hold office for the said term of two years and the remaining three aldermen shall hold office for the said term of one year. In all elections of mayor and aldermen of the city subsequent to the election in the month of November, 1921, such mayor and aldermen, respectively, shall be elected and hold office for the term of two years, commencing with the first day of the calendar year following the election.

Council—how composed.

4. In the event of death, resignation or removal from office for any cause under the provisions of *The Municipal Act*, of any alderman or mayor during his term of office, the candidate for the office at the last preceding election having the next highest number of votes shall be declared by the city clerk elected an alderman or mayor, as the case may be, for the unexpired term of the person so dying, re-

Vacancies how filled.

signing

signing or being removed from office. In the case of an alderman or mayor so dying, resigning or being removed from office having been elected by acclamation or there being a tie vote, the vacancy shall be filled by the appointment by the council of another qualified elector of the city as alderman or mayor for the unexpired term of office of the alderman or mayor so dying, resigning or removed from office.

Term of  
office.

**5.** Notwithstanding anything hereinbefore provided, the members of the said council shall hold office until their successors are elected and the new council is organized.

Application  
of Rev.  
Stat., c. 192.

**6.** In all other respects the nomination and election (by vote of the electors) for aldermen and mayor of the said city, from time to time, shall be held and conducted in accordance with the provisions, in that behalf, of *The Municipal Act*.

Appoint-  
ment of city  
manager.

**7.**—(1) Any council of the said corporation in office from and after the thirty-first day of December, 1921, is hereby authorized and empowered, by by-law, to appoint and employ a general administrative head, to be known as the "City Manager," who shall have such general control and management of the administration of the city's government and affairs and perform such duties as the council shall, by by-law, define, limit and determine, and he shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same; and he shall hold office at the will and pleasure of the council and receive such salary as the Council by by-law shall determine.

(2) Nothing in this section shall apply to the Public Utilities Commission or to the Board of Water Commissioners of the City of Chatham.

Application  
of certain  
Acts.

**8.** Except as by this Act varied, altered or changed, *The Municipal Act* and all other Statutes now applicable to the said corporation, its council or officers, shall be in full force and effect.

Force of  
Act.

**9.** This Act shall come into force upon the day upon which it receives the Royal Assent.

Short title.

**10.** This Act shall be known as *The City of Chatham Act, 1921*.

## CHAPTER 98.

## An Act respecting the City Gas Company of London.

*Assented to May 3rd, 1921.*

**W**HEREAS the City Gas Company of London has Preamble.  
by petition represented that by reason of the increase in the cost of the manufacturing and production of gas, the company cannot continue to produce and sell gas at the price or rate of ninety cents per thousand cubic feet, and in order to enable it to continue its operations and supply gas to its consumers it has by its petition prayed that it should be authorized to increase the price or rate at which it may be permitted to sell gas to its consumers; and whereas, subject to the provisions herein-after contained, it is expedient to grant the prayer of the said petition:—

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Notwithstanding anything contained in section 7 of an Act passed in the sixth year of the reign of His late Majesty, King Edward the Seventh, chaptered 129. the company for the term of one year after this Act takes effect but no longer may charge for gas supplied to consumers, within the limits of the City of London, at \$1.25 net per thousand cubic feet of gas, whether used for illuminating purposes or otherwise, and if the amount due by any customer is not paid within twenty days after the same becomes due, the company may add ten per centum thereto and collect the same by way of penalty for non-payment within the twenty days.

Rate fixed at \$1.25 for one year with 10% added if not paid within 20 days.

2. Ten cents of each \$1.25 received by the company for gas supplied shall be placed to the credit of a special account to be known as the "Customers' Refund Account," and in case it is found by the audit and examination hereinafter provided for that the cost of the manufacture, production and supplying of gas by the company is found to be \$1.15 per thousand cubic feet or less the monies placed to the credit of such account shall be forthwith repaid to all who have

Ten cents of each \$1.25 to be held in special account pending audit.

have paid at the rate of \$1.25 per thousand cubic feet, but in case such cost is found to be more than \$1.15 per thousand cubic feet and less than \$1.25 per thousand cubic feet the difference between such cost and the sum of \$1.25 per thousand cubic feet shall be forthwith repaid out of the monies placed to the credit of such account to all who have paid at the rate of \$1.25 per thousand cubic feet.

Use of funds  
in customer's  
refund account  
subject to  
repayment.

**3.** The monies placed to the credit of such special account may be used from time to time by the company for the general purposes of its business subject to their being repaid as provided by section 2.

Municipal  
Board to  
appoint  
auditors to  
investigate  
business of  
company if  
requested  
by City of  
London or  
by the  
company.

**4.** The Ontario Railway and Municipal Board, on the application of the Corporation of the City of London or of the company, may appoint an auditor or auditors to examine and audit all the books of account, papers and documents relating to the business of the company or any other company subsidiary to or controlled by the company commencing with the year 1920, and to value all the property and assets thereof as a going concern to determine its liabilities and the exact cost to the company of the manufacture, production and supplying of gas and it shall be the duty of the company and of its officers and servants to afford access to such auditor or auditors to such books of account, papers and documents at all reasonable times and to furnish to such auditor or auditors all information in their possession or powers relating to the affairs of the company, and to permit the making of such valuation and determination.

Report of  
auditors to  
be furnished  
to the city,  
the company  
and the  
Board.

**5.** When the auditor or auditors have completed their examination and audit and valuation and have made their determination as above required they shall report the results of it to the Council of the Corporation of the City of London and to the company and to the Ontario Railway and Municipal Board.

Company  
and city to  
share ex-  
pense of in-  
vestigation.

**6.** The charges and expenses of the auditor or auditors shall be paid to the auditor or auditors one-half by the Corporation of the City of London and one-half by the company.

The effect of  
this Act on  
agreements  
between city  
and  
companies.

**7.** It is hereby enacted and declared that this Act is not intended to extend, and shall not extend, the terms during which, by the agreement between the City Gas Company and the Corporation of the City of London, and the agreement between the London Gas Light Company and the Corporation of the City of London or either of them, the said

companies

companies or either of them were authorized to exercise their corporate rights of supplying gas within the City of London beyond the periods for which the said companies would have been entitled to exercise such rights had this Act not been passed.

8. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

Commence-  
ment of  
Act.

## CHAPTER 99.

## An Act to amend and consolidate the Acts respecting the Essex Border Utilities Commission.

*Assented to April 8th, 1921.*

**W**HEREAS the Essex Border Utilities Commission was established by an Act passed in the sixth year of the reign of His Majesty King George the Fifth, chaptered 98, with authority to construct and operate certain works within the Municipalities of the City of Windsor, and Towns of Walkerville, Sandwich, Ford City and Ojibway, and the Townships of Sandwich East and Sandwich West, which has been amended from time to time; and whereas the Essex Border Utilities Commission has, by its petition, represented that it is desirable that the said Act should be amended making the debentures of the Commission a joint liability of the several municipalities; extending the power of the Ontario Railway and Municipal Board in the approval of subdivisions, and providing for proof of compliance with the Act in respect thereof; providing for the re-submission of questions to electors of one or more of the municipalities rejecting, and for the undertaking of works rejected by one municipality; for appointment of certain commissioners by the municipal councils; and giving power to the commission to reimburse municipalities the purchase price of parks taken over by the commission, and to undertake the widening and straightening of through streets and boulevards, and the reservation of areas for parks; and also to consolidate the said Act and the several amendments thereto, and it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Consolidated Essex Border Utilities Act*. 6 Geo. V, c. 98, s. 1. *Amended.*

**2.**

2. In this Act, except in so far as the provisions of this section would give to any word or words, expression or clause an interpretation inconsistent with the context: <sup>Interpretation.</sup>

- (a) "Windsor" shall mean the Corporation of the City of Windsor;
- (b) "Walkerville" shall mean the Corporation of the Town of Walkerville;
- (c) "Sandwich" shall mean the Corporation of the Town of Sandwich;
- (d) "Ojibway" shall mean the Corporation of the Town of Ojibway;
- (e) "Ford City" shall mean the Corporation of the Town of Ford City;
- (f) "Sandwich West" shall mean the Corporation of the Township of Sandwich West; 6 Geo. V, c. 98, s. 2, *cls. (a-f)*;
- (g) "Sandwich East" shall mean the Corporation of the Township of Sandwich East, in the County of Essex. 8 Geo. V, c. 79, s. 1 (*n*);
- (h) "Essex Border Municipalities" shall mean and include the Municipal Corporations of the City of Windsor, the Towns of Walkerville, Sandwich, Ford City and Ojibway, and those portions of the Townships of Sandwich East and Sandwich West defined in schedules "A" and "C" of this Act and any new municipalities hereafter established which include any portion thereof and "Essex Border Utilities District" shall mean the area of land from time to time included within the same.—
- (i) "Councils" shall mean the councils of all the said corporations, or of such two or more of the said corporations as the context shall refer to;
- (j) "Engineer" shall mean an engineer employed by "The Essex Border Utilities Commission";
- (k) "Construct" shall include reconstruct wholly or in part from time to time, as may be deemed necessary or expedient;

(l) "The Commission" shall mean "The Essex Border Utilities Commission" in this Act provided for;

(m) "Municipal Board" shall mean the Ontario Railway and Municipal Board. 6 Geo. V, c. 98, s. 2, *cls. (g-m)*.

Members  
of Com-  
mission.

3.—(1) For the purposes hereinafter mentioned there shall be a commission consisting of the head and elected commissioners from each of the following municipalities, that is to say:

(a) The Mayor of Windsor shall be *ex-officio* a member of the Commission, and the electors of Windsor shall every three years elect four persons to be members of the Commission.

(b) The Mayor of Walkerville shall be *ex-officio* a member of the Commission, and the electors of Walkerville shall every three years elect one person to be a member of the Commission.

(c) The Mayor of Sandwich shall be *ex-officio* a member of the Commission, and the electors of Sandwich shall every three years elect one person to be a member of the Commission.

(d) The Mayor of Ford City shall be *ex-officio* a member of the Commission, and the electors of Ford City shall every three years elect one person to be a member of the Commission.

(e) The Mayor of Ojibway shall be *ex-officio* a member of the Commission, and the electors of Ojibway shall every three years elect one person to be a member of the Commission.

(f) The Reeve of Sandwich West shall be *ex-officio* a member of the Commission, and the electors of Sandwich West shall every three years elect one person to be a member of the Commission. 6 Geo. V, c. 98, s. 3 (1), *part.*

(g) The Reeve of Sandwich East shall be *ex-officio* a member of the Commission, and the electors of Sandwich East shall every three years elect one person to be a member of the Commission.

(h)

(h) The persons elected under clauses (a) to (g) inclusive shall at the expiration of their present terms of office be elected for and each hold office for the term of three years.

(i) The Council of the City of Windsor shall forthwith after the coming into force of this Act appoint three persons to be members of the Commission for the year 1921 and until their successors are elected at the annual municipal election for the year 1922.

(2) The Commission shall be a body corporate and politic under the name of "The Essex Border Utilities Commission." 6 Geo. V, c. 98, s. 3 (1), *part*.

(3) In case any portion of the Townships of Sandwich East or West within the Essex Border Utilities District shall be included in a new municipality the council of such new municipality shall upon its organization by by-law appoint one person as commissioner for the year in which such municipality is established to hold office for the remainder of that year and until his successor is elected, who with the head of the municipality shall be its members; and the electors of the new municipality shall at the next annual municipal election and every three years thereafter elect one person to be a member of the Commission to hold office for three years.

Representation of new municipalities.

(4) In case the new municipality or municipalities shall include the whole of the area of any municipality now having representation upon the Commission the head of and commissioner from the municipality so ceasing to have any area within the jurisdiction of the Commission shall cease to be members of the Commission, at the end of their current terms of office.

Exclusion of absorbed municipalities.

(5) When a vacancy in the membership of the Commission occurs from any cause the proper council in that behalf shall immediately appoint a successor who shall hold office during the remainder of the term for which his predecessor was elected.

Vacancies.

(a) Any elected member of the Commission whose term of office has expired shall be eligible for re-election;

(b) No person while he is a member of a municipal council shall be a member of the said Commission.

Powers of  
Commission.

(6) The said Commission shall have power to acquire, establish, construct, maintain, control and operate the works hereinafter authorized and provided for and shall have all powers necessary for that purpose, including the powers hereinafter expressly conferred upon the Commission.

(7) (a) The Commission shall annually at a meeting to be held in the month of January, elect one of the members thereof to be chairman of the Commission, who shall hold office for one year and until his successor is elected. The chairman shall preside at all meetings of the Commission at which he is present, and in the absence of the chairman the members present shall elect one of such members to preside and who during such absence shall have and may exercise the powers of the chairman. 6 Geo. V, c. 98, s. 3 (3) (4) (a); 10-11 Geo. V, c. 120, s. 2;

(b) A majority of the Commissioners shall constitute a quorum;

(c) The Commission shall have a common seal and may from time to time alter or change the same;

(d) The Commission may appoint a secretary, a chief engineer, and such other officers, superintendents, inspectors, foremen, engineers, accountants, servants and workmen as may be deemed requisite. The salaries or other remuneration of the persons so appointed shall be fixed by the Commission. 6 Geo. V, c. 98, s. 3 (4) (b-d); 10-11 Geo. V, c. 120, s. 3;

(e) Any contract entered into by the Commission and sealed with the seal and signed by the chairman and secretary thereof shall be binding upon the Commission;

(f) The Commission shall keep proper records and books, including books of account, in which shall be recorded and entered the business of the Commission;

Rev. Stat.,  
c. 204.

(g) Section 41 of *The Public Utilities Act* shall apply to the Commission in so far as the same is applicable;

(h) The members of the Commission shall serve without salary;

(i)

- (i) The Commissioner elected or appointed by any municipality may reside in any other of the above mentioned municipalities but otherwise the provisions of parts 2, 3 and 4 of *The Municipal Act*, which are applicable to members of the council of a local municipality shall apply *mutatis mutandis* to the members of the Commission. 6 Geo. V, c. 98, s. 3 (4) (e-i); Commissioner may reside in another municipality.
- (j) All financial officers of the Commission before entering on the duties of their office shall give such security as the Commission directs for the faithful performance of their duties and for duly accounting for and paying over all moneys which come into their hands. 7 Geo. V, c. 69, s. 1; Financial officers to give security.
- (k) In the absence of the mayor or reeve of any Essex Border municipality by reason of illness or otherwise the acting mayor or reeve may act on the Commission in his place;
- (l) The non-attendance of an elected Commissioner for three successive months at the meetings of the Commission of which three days' notice has been given shall *ipso facto* constitute a resignation of the Commissioner and the Commission shall at the next meeting proceed as in the case of vacancy in membership unless good cause for such absence is then shown and the Commission shall by resolution declare the same to be sufficient. 10-11 Geo. V, c. 120, s. 4 (l, m).

#### FINANCES.

4. Moneys required for the general purposes of the Commission shall be provided by the Essex Border municipalities in proportion to the number of elected representatives that each municipality is entitled to have on the Commission. Cost to be paid by municipalities.

- (a) In case of the inclusion of any of the said municipalities or any parts thereof in new municipalities, the new municipalities shall become liable forthwith for the proper share of debts charged upon the lands included therein and of the expenditures for general purposes, and in case of absorption of the whole area of a municipality within the jurisdiction of the Commission by a new municipality, the municipality whose area has been so absorbed shall cease to be Liability of new municipality for debt.

be liable for its share of the expenditures of the Commission for general purposes incurred after the date of absorption

Applica-  
tions to be  
made for  
money.

**5.** The moneys required by the Commission shall be provided and paid over to the Commission from time to time on the application of the Commission. The application may state a total sum required at the time of making such application and the portion thereof required from and payable by each of the said corporations.

(a) The application shall be in writing and sealed with the seal of the Commission and signed by the chairman and secretary, and may be in the form set forth in Schedule "B" or to the like effect. A duplicate original of such application shall be delivered to the clerk of each corporation.

Approval of  
electors  
required.

**6.** No application for money for construction of any proposed work or undertaking shall be made until after the preliminary report provided for in Section 13 has been filed and the approval of the electors of such municipality has been obtained under Section 15. 6 Geo. V, c. 98, ss. 7, 8.

Recovery of  
cost by  
Commission

**7.** The sum stated in any application to be payable by any of the said corporations shall be a debt due by such corporation to the Commission and may be recovered by the Commission from such corporation by suit in any Court of competent jurisdiction.

(a) The application as made shall be conclusive evidence that the sum mentioned in such application is due and payable to the Commission. 6 Geo. V, c. 98, s. 9; 7 Geo. V, c. 69, s. 6.

What to be  
included in  
cost.

**8.** All moneys paid over to the Commission for general purposes before the construction of any of the works shall so far as the engineer of the Commission may deem proper be charged as part of the cost of some particular work and upon its completion and the payment of the cost thereof to the Commission shall be repaid by the Commission to the municipality which advanced the same and any cost or expense not properly chargeable to any particular work shall be borne by the municipalities in proportion to the number of elected representatives that each municipality is entitled to have on the Commission. 6 Geo. V, c. 98, s. 10; 7 Geo. V, c. 69, s. 7.

9. The Council of each of the said Corporations shall forthwith after application therefor pay the moneys required by the Commission for general purposes out of the current revenue of the Corporation. What is to be paid out of current revenue.

(1) Any sums so payable by the Township of Sandwich West or by the Township of Sandwich East shall be raised by a special rate upon all the rateable property in that part of the municipality described in Schedule "A" or in Schedule "C" respectively and shall be collected at the same time and in the same manner as ordinary municipal taxes.

(2) Any special rate imposed for the purpose of paying expenditures for general purposes or those chargeable as part of the cost of the works, or for the purpose of payment of debentures shall in each case form a special fund to be applied to its particular purpose and no other. Rates to form special funds. 6 Geo. V, c. 98, s. 11; 7 Geo. V, c. 69, s. 8 (1), (2).

10.—(1) For the purpose of paying for any of the works authorized to be constructed or acquired under this Act or for borrowing such further sums as may be necessary to complete, extend or improve the same or to meet the cost of extensions or improvements already made, the Commission may agree with any bank or person for temporary advances to meet the cost thereof and may by by-laws from time to time issue debentures for the sum so borrowed, and the debt so incurred and the debentures so issued shall be a direct liability to the lender or holder by both the Commission and by each of the said approving corporations at large to the extent of the share of each as settled by a report under section 13 hereof or by the Municipal Board on appeal thereto (if any) under sections 14 or 20 hereof. The power to issue debentures for completion, extension or improvement of any works already commenced shall only be exercised with the consent of the Municipal Board. Debentures to be issued by Commission. 7 Geo. V, c. 69, s. 9; 9 Geo. V, c. 91, s. 5.

(2) The provisions of *The Municipal Act* as to by-laws for creating debts, including Sections 295 and 296, shall apply to said by-laws, except that it shall not be necessary that any by-law providing for the payment of the cost of any particular work already approved of be submitted to the electors of any of the said corporations for their assent; and the recitals shall be those applicable to each of the said corporations. Rev. Stat., c. 192.

Corporations to impose rate to pay debentures.

(3) Forthwith after the passing of any debenture by-law the Commission shall serve upon each of the Corporations liable to pay any share thereof a duplicate original of the by-law and the Council of each of the said Corporations shall at the next and each successive tax levy thereafter for the number of years the debentures are to run, impose a special rate over and above all other rates sufficient to pay its share of the principal, interest and cost of the said debentures on all the rateable property in the municipality to be collected at the same time and in the same manner as other rates.

(4) The amounts so raised shall be paid over to the Commission by each municipality and shall be used by the Commission for the purpose of retiring the debentures for which they were raised and for no other purpose whatever.

(5) The debentures may run for a term not exceeding thirty years from the time the same are issued. 7 Geo. V, c. 69, s. 9.

(6) Any special rate so imposed shall in the case of Sandwich West or Sandwich East be charged upon and collected from only the portion thereof described in Schedule "A" or "C" hereto respectively. 7 Geo. V, c. 69, s. 9; 3 Geo. V, c. 79, s. 11.

Borrowing until requisitions paid.

(7) The Commission may by by-law authorize the chairman and treasurer to borrow the sums necessary to meet current estimated annual expenditure for general purposes and for special outlays the latter not exceeding the amount of the estimated requisitions or demands on account of works or undertakings which the Commission may legally make during the year and shall have the power given to a municipal corporation to borrow under Section 319a of *The Municipal Act*. Any interest charges incurred shall be payable by the municipality in default.

Issuing debentures for connections.

(8) The Commission may where authorized by resolution of the council of a municipality pass a by-law to pay for the cost of reports or of the connections under Subsection 3 of Section 22 or Subsection 2 of Section 23 of this Act by the issue of debentures under the provisions of Section 10 and the assent of the electors shall not be required thereto, and the municipality shall be liable for the amounts of the debentures and interest as they fall due in the same manner as for other debentures under this Act. 10-11 Geo. V, c. 120, s. 3.

Debentures to be a first lien.

(9) Any plant or works and land acquired for the purpose of a work and the property appertaining there-

to.

to, shall be specially charged with the repayment of any sum borrowed by the Commission for the purposes of such work or plant and for any debentures issued therefor, and the holders of such debentures shall have a preferential charge on such plant, works and land for securing the payment of the debentures issued in respect thereof, and the interest thereon.

(10) The debentures issued hereunder shall be under the seal of the Commission and signed by the chairman and secretary. 7 Geo. V, c. 70, ss. 19, 20.

**11.** Notwithstanding the provisions of this Act, wherever it is provided that the electors shall assent to or do any act, the same shall not apply to the Town of Ojibway until after the 31st of December, 1919, or any lawful extension in office after that date of the council of the said town appointed under the provisions of Section 4 of Chapter 108 of the Acts passed in the third and fourth years of the reign of His Majesty King George V, and until such time the assent of the majority of the Council of the said town shall be a sufficient compliance with the provisions of this Act. 6 Geo. V, c. 98, s. 13; 9 Geo. V, c. 91, s. 6.

**12.** The cost of the construction, maintenance and operation of works authorized by this Act shall be borne and paid by the Essex Border municipalities in the proportion in which the said corporations will be benefited by the said works. Such proportions shall be ascertained and determined by the engineers employed by the Commission. 6 Geo. V, c. 98, s. 14; 7 Geo. V, c. 69, s. 10; 8 Geo. V, c. 79, s. 8.

#### REPORTS AND SUBMISSION TO ELECTORS.

**13.** The Commission shall, before undertaking any work provided for by this Act, employ an engineer to make a preliminary examination and survey of the proposed work and a report, estimate and apportionment of the cost of each of the said works. The Commission shall file a copy of the said report, estimate and apportionment with the clerk of each of the said corporations. 6 Geo. V, c. 98, s. 15.

(a) The cost of the preliminary examination, survey, report and estimate shall not exceed the following sums, that is to say:—

Where the estimated cost of the proposed work is not more than \$25,000, 5 per cent.

Where

Where the estimated cost exceeds \$25,000, an additional 3 per cent. up to \$50,000, on the excess.

Where the estimated cost exceeds \$50,000, an additional 2 per cent. up to \$100,000 on the excess.

Where the estimated cost exceeds \$100,000, an additional 1 per cent. on the excess

Appeal to the Municipal Board as to proportions of cost payable.

**14.** The Commission or the council of any corporation which may become liable under the report for any portion of the cost of any of the said works, and which is not satisfied with the apportionment made by the said report, may within thirty days after the filing of the said report with the clerk, appeal therefrom to the Municipal Board by notice of such appeal served upon the head or the clerk of each of said corporations and in that event the question of the proportions shall stand referred to and be decided by the Municipal Board. Any of the councils may assume and undertake the conduct of the proceedings before the Municipal Board.

(a) The proceedings on an appeal under any section of this Act shall be in accordance with the rules and practice of the Municipal Board.

(b) The Municipal Board shall decide upon and determine the said proportions, and the decision of the Municipal Board shall be final. A duplicate of the order of the Municipal Board shall be filed with the Commission. 6 Geo. V, c. 98, s. 16; 7 Geo. V, c. 69, s. 11.

Submission of questions to electors.

**15.—**(1) The councils shall after receiving the preliminary report and estimate provided for in the preceding section submit a question in regard to the work, to the electors of the proper corporations under the provisions of Part X of *The Municipal Act*.

(2) In Sandwich West and Sandwich East the question or questions shall be submitted to the electors in that part of the municipality described in Schedules "A" or "C" respectively, and no others.

(3) The electors qualified to vote on the question shall be persons qualified to vote on money by-laws under the provisions of Section 265 of *The Municipal Act*.

(4) The following is the form of the question above-mentioned:—

- (a) Do you approve of constructing the trunk sewerage works authorized by *The Essex Border Utilities Act*, the total cost of which is \$ \_\_\_\_\_ and the estimated cost to this municipality is \$ \_\_\_\_\_ ? 6 Geo. V, c. 98, s. 17.

(5) The question shall be modified to accord with the circumstances of each undertaking proposed and shall be submitted only to the electors of the municipalities liable for a share of the cost thereof, if approved, and, except as herein otherwise provided, the work may be constructed upon approval by three or more of the corporations liable as aforesaid. 7 Geo. V, c. 69, s. 12. ~

(6) Subject to the provisions of *The Public Health Act* Rev. Stat., c. 218. until the electors of any of the said municipalities shall have voted favourably, nothing in this Act contained shall prevent any such municipality from constructing, establishing, installing and operating within the limits thereof any system or plant for the disposal of sewage or for establishing and operating any waterworks or extending or improving any such system or plant already established within the municipality. Municipality may construct works before submission to electors. 7 Geo. V, c. 69, s. 12 (6).

(7) Subject to the provisions of Subsection (8) the Commission may, after the final settling of the apportionment under a report filed require the councils to submit the question or questions to the electors and in the event of the council of any Essex Border Municipality not submitting the same to its electors within two months the Commission may apply to the Municipal Board for an order providing for the vote to be taken to determine whether or not the majority of the electors are in favour of answering the question in the affirmative or the negative and fixing the time and place for the taking of the vote, naming the returning and deputy-returning officers and making such further provision therefor as may be deemed necessary and the said board shall have power to make an order to that effect.

(8) If the question or questions to be submitted are based upon a report respecting sewers or sewage by which the Corporation of the City of Windsor is affected or respecting the water supply or waterworks of any municipality, the said question or questions shall be submitted to the electors of the various municipalities on a day on which the annual municipal elections are held unless the proper councils agree

agree to submit the same upon some other day. 10-11 Geo. V, c. 120, s. 9.

Cost of preliminary survey and reports.

**16.** In the event of the electors of any corporation not approving of the construction of the works referred to in the question or questions submitted to the electors, the cost of the said preliminary survey, report and estimate shall be borne by all of the said corporations as provided in section 8 and the amount payable by each corporation shall be a debt payable by such corporation to the Commission. Upon receiving from the Commission an application for payment therefor, as hereinbefore provided, the corporation shall forthwith pay the same; but in the event of the electors of the corporations approving of the construction of the works referred to in the question or in any one of the questions submitted then such cost so far as provided in Section 8 hereof shall become part of the cost of the work, the construction of which is approved. 6 Geo. V, c. 98, s. 18; 7 Geo. V, c. 69, s. 13.

Re-submission of questions.

**17.**—(1) In the event of the electors of any corporation not approving of the construction of the work referred to in the question or questions submitted to them as provided in Section 15 hereof the Commission may by requisition in writing to the proper Councils, require a re-submission of any question or questions in regard to the said works or any of them to the electors of any three or more of the said municipalities, and the question or questions may be altered as the circumstances require, and also additional questions may be submitted showing the total cost and the different proportions payable by each municipality should the electors of some only of the corporations to which the question is submitted signify their approval and asking for approval should not less than three corporations approve. 7 Geo. V, c. 69, s. 14.

(2) Instead of re-submitting to three or more municipalities with the proportions changed, the Commission may, with the consent by resolution of the Council of any rejecting municipality re-submit the original question to one or more rejecting municipalities and approval of their electors shall be sufficient authority to proceed with the work.

Assumption of share of one rejecting municipality.

(3) Where a question submitted under Sections 15 or 17 of this Act has been rejected by only one municipality and the share of the municipality so rejecting is not more than fifteen per cent. of the total and the councils of the approving municipalities pass by-laws increasing their shares of the

cost

cost to an amount sufficient to absorb the share of the rejecting municipality, the Commission shall thereby be authorized to proceed with the work and the liability of the municipalities shall be in the proportions provided in said by-laws.

**18.** In the event of the electors of three or more of the corporations whose share of cost has been shown in a question submitted as aforesaid approving of the construction of any of the works, the Commission may proceed with the construction of the works approved of, for the use and benefit and at the cost of the corporations approving and the provisions of this Act and the powers of the Commission shall apply to the corporations for the benefit of which such work or works are being constructed, and the proportion payable by each municipality shall be as shown in the question. 6 Geo. V, c. 98, s. 20; 7 Geo. V, c. 69, s. 15.

Construction of works when approved by at least three municipalities.

**19.** In the event of the electors of any corporation not approving of the construction of the works referred to in a question submitted to them as herein provided but which other corporations nevertheless undertake the head and commissioner of such corporations shall not thereafter vote on any question relating to the construction, maintenance, operation or payment for or raising money in relation thereto and in voting in regard to any such work which has been disapproved, a majority of the Commission who still have the right to vote shall constitute a quorum. 6 Geo. V, c. 98, s. 21; 7 Geo. V, c. 69, s. 16; 10-11 Geo. V, c. 120, s. 10.

Retirement of Commissioner of corporation disapproving.

**20.** At the end of any period of two years from the date of filing of any report and estimate under Section 13 hereof the council of any of the said corporations may upon affidavit filed stating that there has been a substantial change in any of the factors upon which the relative apportionment of the cost of any of the works hereby authorized is based may apply to the Municipal Board for a reconsideration of the proportions of any or all debts incurred under this Act which may be still unpaid, and in that event the question of the said proportions to be paid by each of the corporations from and after that date shall be reconsidered and decided by the Municipal Board and the Municipal Board shall fix the annual rate (if any) necessary to be levied by each corporation in order to pay its share of the debt; and in case the Municipal Board shall alter the proportions of any of the said debts then from and after the service of a copy of the said order upon the clerks of the municipalities liable each corporation liable shall raise the sum provided in said order

Re-apportionment of cost between corporations.

order at the next annual tax levy and at every annual tax levy thereafter until the debt is fully paid by a special rate sufficient therefor over and above all other rates on all the rateable property of the municipality to be collected at the same time and in the same manner as other rates; but the total of the amounts to be raised by the corporations to pay any debenture or debt shall not be changed.

- (a) Provided that should the Council of any Corporation refuse or neglect after service of the said order to impose or collect the said rate, the sum so required to be raised shall be a debt which may be recovered by the Commission from the Corporation liable by suit in any court of competent jurisdiction. 7 Geo. V, c. 69, s. 17; 10-11 Geo. V, c. 120, s. 11.

Apportionment of cost of operation.

**21.** Upon the completion of any of the said works the engineer or engineers employed by the Commission shall file with the Commission a report setting out what is considered a fair distribution amongst the corporations of the annual cost of operating and maintaining (including depreciation) any one or more of such works; a copy of such report shall be filed by the Commission with the clerk of each of the municipalities and the said report shall have the same effect and be subject to the same provisos and conditions, including an appeal to and reconsideration from time to time by the Municipal Board as a report filed under Sections 13 and 14 of this Act and each of the corporations shall thereafter be liable for the amount settled as their proportion of the maintenance, depreciation, cost of operating and deficiency (if any) from previous years, but no submission to the electors shall be required before the report shall become binding upon the corporations; and the share of each corporation of the moneys required shall be payable annually forthwith after application under this Act by each corporation out of its current revenue. 7 Geo. V, c. 69, s. 18.

#### TRUNK SEWERS.

Trunk sewers.

**22.—(1)** The Commission may construct, maintain and operate one or more trunk sewers in or near the Essex Border municipalities, and in connection therewith shall construct, maintain and operate such pumping and disposal plant or plants (if any) that may be required for the effective operation of the same and for the disposal of the sewage; and also in connection with any trunk sewer in Ojibway shall construct, maintain and operate a plant for the treatment

ment and disposal of the sewage from said trunk sewer at a point in or near to Ojibway. 7 Geo. V, c. 69, s. 2.

(2) The said trunk sewers shall each have such sectional area and carrying capacity as will efficiently convey all the sewage from the sewers or system of sewerage of each of the said municipalities to the plant or plants for treating and disposing of the same constructed in connection therewith under this Act. 6 Geo. V, c. 98, s. 4 (2); 7 Geo. V, c. 69, s. 3.

(3) The sewers or system of sewers of the Essex Border municipalities or such of them as shall approve by vote as provided in Section 15, may be connected with the said trunk sewers. Such connections shall be made by the Engineer of the Commission according to plans and specifications made by the Engineer. The cost of making such connections shall be borne and paid by the said Corporations respectively for which the same are made. 6 Geo. V, c. 98, s. 4 (3); 7 Geo. V, c. 69, s. 4; 8 Geo. V, c. 79, ss. 5, 6.

(4) The provisions of Part XV of *The Municipal Act* shall apply to the Commission in all respects, and the Commission shall have and may exercise the powers thereby conferred upon a Municipal Corporation or upon the Council of a Municipal Corporation. 6 Geo. V, c. 98, s. 4 (4).

(5) The Commission may also construct intercepting sewers and pumping and disposal plants to provide for the transmission and disposal of the sewage from any drainage area or basin within the Essex Border Municipalities not included in the original trunk sewer system constructed under the provisions of Subsection (1), and in each case the Engineer's report thereon shall set out the area or areas benefited thereby, but no work shall be constructed without the assent by by-law of the Council of the local municipality within which any part of the area lies.

May construct intercepting sewers in adjoining area.

(6) The Commission may, as ancillary or incidental to the construction of any intercepting sewer system, enter into possession of, construct, reconstruct, improve, maintain, and operate any drainage work constructed under *The Municipal Drainage Act* and situate in part or in whole within the Essex Border Municipalities, and in such case the report of the Engineer shall as to any new expenditure set out the details required under the provisions of *The Municipal Drainage Act*; and an appeal shall lie to the Drainage Referee as to the matters set out in Section 94 of the said Act and the said referee shall also have power to determine the portion, if any, which should be borne by the intercepting sewer system; the Council of the Municipality within which

May control and reconstruct drainage works that interfere.  
Rev. Stat., c. 198.

any

any such area may lie upon the request of the Commission shall hold a Court of Revision in regard to the assessments to be made under said report with the powers and duties of a Court of Revision under the said Act, and an appeal shall lie therefrom to the County Judge, and the cost shall be borne by the areas in the proportions so determined, and no appeal shall lie to the Municipal Board in respect of such report.

Cost to be borne by the areas.

(7) The cost of works authorized under Subsections (5) and (6) shall be borne by the area benefited only, and the approval of the question to be submitted in regard thereto under Section 15 shall be required only by the electors of the said area.

No power to change any assessment or obligation.

(8) Nothing herein contained shall authorize a change in the amount of any assessment made before the taking over by the Commission or in the liability of the lands or the Municipality for any rate previously imposed to pay any debenture or debt in respect of any work.

Application of moneys.

(9) Any sums collected by a Municipality for maintenance or operation of any work taken over under Subsections (5) and (6) shall thereafter be applied *pro tanto* to pay the requisitions made by the Commission for such purposes.

Cost of maintenance borne by the areas.

(10) The cost of operating or maintaining any work coming under the control of the Commission under Subsections (5) and (6) shall be borne by the area and in the proportions determined by a report which shall be made under Section 21. 10-11 Geo. V, c. 120, s. 5.

#### WATERWORKS.

Establishing a joint water system.

**23.**—(1) The Commission may construct or acquire by purchase and maintain and operate one or more systems of waterworks in or within fifteen miles of the Town of Ford City, and may acquire by purchase or otherwise and may enter on and expropriate any lands, waters and water privileges and divert any lake, river, pond, spring or stream of water within the said town or within fifteen miles thereof, that may be deemed necessary for waterworks purposes or for protecting the waterworks, for preserving the purity of the water supply or pumping or purifying the water.

(2) The Commission may convey and deliver the water to the Essex Border municipalities, or such of them as shall approve by vote as provided in Section 15, and for the purpose of purchasing from or supplying water to the Essex Border Municipalities and adjoining municipalities and companies, associations and persons located

located therein may sink and lay down a main water pipe or pipes, and construct works, tanks, reservoirs, and other conveniences at such place or places in or near to any of the said municipalities as may be required, and may from time to time alter their location or construction as may appear advisable. Each of the said municipalities may connect its waterworks systems with the said works for the purpose of receiving the water. Such connection shall be made at such place and in such manner as the Commission may direct, and according to plans and specifications made by the engineer and under his direction and superintendence, and the cost of making such connections shall be paid by the corporation for which the same are made.

(3) Except as herein otherwise provided the Commission shall have and may exercise all the powers conferred upon the corporation or council of a municipality by *The Public Utilities Act* with reference to waterworks, and also as to any works situated in any of the Essex Border Municipalities, the powers contained in Section 59 of the said Act, but shall not have power to impose any rate under Section 15 of *The Public Utilities Act* upon any land charged with a similar rate or with any water rate. 6 Geo. V, c. 98, s. 5; 7 Geo. V, c. 69, s. 5; 8 Geo. V, c. 79, s. 10; 9 Geo. V, c. 91, s. 4. Rev. Stat.,  
c. 204.

#### LOCAL BOARD OF HEALTH.

**24.**—(1) The local board of health for the Essex Border Municipalities from and after the first day of July, 1919, shall consist of the chairman of the Commission, and the medical officer of health appointed by the Commission and three resident ratepayers of the Essex Border Municipalities to be appointed annually by the Commission at its first meeting in every year. The Board shall be known as the Local Board of Health for the Essex Border Municipalities, and shall be a local board of health within the meaning of *The Public Health Act*. Local board  
of health for  
district.

(2) The Commission shall have the powers and privileges and perform the duties of a municipal council under *The Public Health Act*, except that the Commission shall not have the power to raise any sum of money by taxation or to direct any sum to be added to any collector's roll. Commission  
may not  
require  
taxation.

(3) The secretary of the Commission shall be the secretary of the Board of Health, and shall perform the duties prescribed by *The Public Health Act* for the secretary of a local board of health. 9 Geo. V, c. 91, s. 7 (1-3).

(4)

Local  
boards of  
health dis-  
continued.

(4) Notwithstanding the provisions of Section 14 of *The Public Health Act*, from and after the first day of July, 1919, the Local Boards of Health and the medical officers of health for the municipalities of the City of Windsor, Towns of Walkerville, Sandwich, Ford City and Ojibway, shall be discontinued, and the local boards of health and medical officers of health of the Townships of Sandwich West and Sandwich East shall not have jurisdiction over those parts of the said municipalities from time to time included within the Essex Border Municipalities.

Medical offi-  
cer of health-  
for district.

(5) The Commission shall appoint a legally qualified medical practitioner to be the medical officer of health for the Essex Border Municipalities, who shall have the powers and perform the duties of a medical officer of health under *The Public Health Act*, and who shall be paid a reasonable salary by the Commission.

Sanitary  
inspectors.

(6) The Commission shall also appoint such number of sanitary inspectors for the Essex Border Municipalities as may be deemed necessary by the said local board of health and as may be prescribed by the regulations, who shall be subject to the provisions of *The Public Health Act*.

Payment of  
expenses.

(7) The treasurer of the Commission shall forthwith upon demand pay the amount of any account for salary of the medical officer of health or for services performed by any officer under the direction of the said board and for materials and supplies furnished or for any expenditure incurred by the said board or by the said medical officer of health or sanitary inspectors, in carrying out the provisions of *The Public Health Act*, after the said board has by resolution approved of the account and a copy of the resolution certified by the chairman and the secretary of the said board has been filed with the treasurer of the Commission.

Expenses to  
be paid in  
proportion  
to popula-  
tion.

(8) The accounts so paid by the Commission under this section shall be paid to the Commission by the Essex Border Municipalities upon application made under Section 5 of this Act, and so far as such expense was in the judgment of the Commission incurred for the benefit of one only of the said municipalities shall be paid by that municipality, but so far as incurred for the benefit of more than one, shall be paid by those municipalities proportionately to their population, according to the last certificates of the assessor or assessment commissioner, except that the proportion to be paid by the Town of Ojibway shall be fixed by the Commission until such time as the Commission shall decide and declare that its population has increased so that it will bear its fair proportion under this section.

(9) The said local board of health shall have the right to require that any sum of money expended for sanitary conveniences under Section 25 of *The Public Health Act* shall be added to the collector's roll of the municipality within which the premises are situate.

Installation  
of sanitary  
conveni-  
ences.

(10) Any expense incurred under Section 34 of *The Public Health Act* may be recovered from the Commission or from any one or more of the municipal corporations certified to by the Minister, and in case of payment the right of recovery under Subsection 3 of said Section shall accrue to the corporation or corporations paying. 9 Geo. V, c. 91, s. 7 (5-11).

Expense of  
sanitation—  
how borne.

### HOSPITALS.

**25.**—(1) The Commission shall have and is hereby vested with the powers of a municipal corporation to establish, erect, maintain, manage and control within the Essex Border Municipalities one or more isolation hospitals for the reception and care of persons suffering with any communicable disease.

Establishing  
isolation  
hospital.

(2) The Commission may agree for temporary advances and may borrow money under section 10 hereof by the issue of debentures for the purpose mentioned in Subsection 1 hereof, and it shall not be necessary to obtain the assent of the electors of the Essex Border Municipalities to any by-law for raising money for such purpose; such debentures shall be payable within twenty years from the date of the issue thereof.

Borrowing  
powers.

(3) The Commission shall not establish any such hospital until it has submitted the plans and a report showing the proposed equipment and cost and its apportionment amongst the several municipalities to the Provincial Board of Health and obtained the permission of the Provincial Board of Health to proceed.

Approval of  
Provincial  
Board of  
Health.

(4) Upon permission being given by the Provincial Board of Health a duplicate of the report shall be filed with the Clerk of each Municipality, and such report shall be subject to the provisions of Sections 14 and 20 of this Act.

Reports to  
be made  
before con-  
struction.

(5) Upon completion of any work provided for in this section the maintenance shall be provided for under the provisions of Section 21.

Mainten-  
ance.

(6) The Commission shall have the powers given by Sections 49, 50 and 51 of *The Public Health Act* to a municipal corporation in regard to emergency hospitals within the Essex Border Municipalities and the acquiring of land and buildings for that purpose, and the cost shall be paid under Subsection (8) of Section 24 of this Act. 9 Geo. V, c. 91, s. 8.

Emergency  
hospital for  
district.

Rev. Stat.,  
c. 218.

Establishing  
public  
hospital.

**26.**—(1) The Commission may erect, establish, equip, maintain, manage and control a public hospital for the Essex Border Municipalities for the treatment of persons suffering from disease or injuries.

(2) The erection, establishment, and equipment of such hospital shall be a work authorized under the provisions of this Act and the maintenance shall be provided under section 21 of this Act.

Report on  
public  
hospital  
to be made  
before con-  
struction.

(3) A preliminary report shall be filed under Section 13 of this Act and shall be made by an engineer, architect, contractor or other person skilled in the matter and appointed by the Commission for that purpose and the provisions of Sections 14 to 20 inclusive shall apply to the report. 9 Geo. V, c. 91, s. 9.

#### METROPOLITAN PARK.

Metropoli-  
tan park  
board.

**27.**—(1) The Commission shall have and is hereby vested with the power of a Board of Park Management to acquire, develop, lay out, maintain and improve a Metropolitan Park or park system for the Essex Border Municipalities under *The Public Parks Act*.

Rev. Stat.,  
c. 203.

Power to  
acquire  
park.

(2) The acquiring, developing, laying out and improving of any park, avenue, boulevard or drive shall be a work authorized under the provisions of this Act after approval by the proper electors, and the report necessary may be made by any person skilled in such matters.

Power to  
manage.

(3) The Commission shall also have the power to manage, control, develop, and improve any park, avenue, boulevard, drive or any part thereof or any land of any of the Essex Border Municipalities not immediately required for any other purpose where the Council of the municipality with the consent of the Board of Park Management thereof (if any) declares and provides that the same shall form part of the Metropolitan Park System. 10-11 Geo. V, c. 120, s. 12.

Apportion-  
ment of  
cost.

(4) The cost of acquiring, developing, laying out, improving and maintaining any work under this section shall be paid by the municipalities approving thereof proportionately to the assessed value of all their rateable real and personal property included within the Essex Border Municipalities according to the last certificate of the assessor or assessment commissioner, and there shall be no appeal to the Municipal Board in respect of the same.

(5) The Commission shall have power to raise by issue of debentures the sums required for the acquisition, developing, laying out and improving of any work authorized under this section, but the rate to be levied shall not exceed one mill on the dollar upon the assessed value of all the rateable real and personal property liable. Issue of debentures.

(6) The provisions of Section 21 of this Act shall apply to the cost of maintenance and management, but the report may be made by any person skilled in such matters. Apportionment of maintenance.

(7) Sections 19, 20, and 21 of *The Public Parks Act* shall apply to the lands acquired or managed under this section. Protection of parks.

(8) The land acquired or managed as aforesaid may be wholly or partly within any of the Essex Border Municipalities or within ten miles thereof. 10-11 Geo. V, c. 120, s. 12.

#### TOWN PLANNING.

**28.**—(1) The Commission shall have and is hereby vested with the powers of the several Town Planning Commissions which the City of Windsor, the Towns of Walkerville, Sandwich, Ford, and Ojibway are authorized to appoint under Section 13 of *The Planning and Development Act*, and may exercise the same within the urban zones within which any of the said municipalities are situate. Town planning. s Geo. V, c. 38.

(2) The provisions of Subsections (2) (3) (4) (6) (7) (8) and (9) of said section 13 of *The Planning and Development Act* shall not apply to the Essex Border Utilities Commission.

(3) Fees collected by the Commission under Subsection (6) of Section 6 of *The Planning and Development Act* as amended by Chapter 53 of the Acts passed in the ninth year of the reign of His Majesty King George the Fifth shall be paid to the municipality within which the land is situate.

(4) Any person desirous of surveying and sub-dividing into lots any tract of land, part of which is situate within the urban zone which includes any of the Essex Border Municipalities shall take the following proceedings instead of those set out in Section 7 of *The Planning and Development Act*.

(a) Such persons shall submit a plan of the proposed survey and subdivision prepared in accordance with the provisions of *The Registry Act* to the Council Plans of subdivision. Rev. Stat., c. 124.

Council of each Municipality within which any part of the land lies for approval and signature and shall file a blue print with the other municipalities of the urban zone and with the Commission. 10-11 Geo. V, c. 120, s. 13.

(b) If the plan is so approved it shall be submitted to the Commission together with an affidavit showing the time of filing with the other municipalities.

(c) If the municipalities within which the land lies have approved and no objection is filed with the Commission within one month by any of the other municipalities or they approve and sign the plan the Commission may itself approve, otherwise the plan shall be referred by the Commission to the Municipal Board for approval.

(d) Where the plan is one coming within Section 14 of *The Planning and Development Act*, approval must be obtained by each municipality within which any part of the land is situate and by the Commission and the Municipal Board.

(e) Approval and signature by the Commission under this section shall be good and sufficient approval of the Municipalities within the urban zone under *The Registry Act* and *The Planning and Development Act* except as herein otherwise provided. 10-11 Geo. V, c. 120, s. 3.

Improving  
of through  
streets.

(5) Where the Commission has filed and registered a plan under Section 5 of *The Planning and Development Act* it may with the consent by resolution of the Councils of the Municipalities within which any work is to be done by by-law declare that the widening, straightening, diverting, or improving of a through street or boulevard is a work beneficial to more than one of the Essex Border Municipalities, and may by proceedings under Sections 472, 473, and 474 of *The Municipal Act* enquire into and ascertain the cost of widening, straightening, diverting or improving such through street or boulevard and file a report and proceed with the same as an authorized work after approval by the proper electors.

**29.** The following Acts are hereby repealed:Repeal of  
certain  
Acts.

*The Essex Border Utilities Act*, being 6 Geo. V, c. 98;  
7 Geo. V, c. 69; 8 Geo. V, c. 79; 9 Geo. V, c. 91, except  
Section 10; 10-11 Geo. V, c. 120; and the provisions of this  
Act are substituted therefor.

## SCHEDULE "A."

All that part of the Township of Sandwich West in the County of Essex, bounded as follows:—

On the north-west by the Detroit River, on the north-east by the westerly limit of the City of Windsor from the Detroit River to its intersection with the extension in a straight line westerly of that portion of the Tecumseh Road now forming the southerly boundary of the City of Windsor;

On the south-east by the extension westerly of said last-mentioned line to the Huron line, that part of the Huron line between the Tecumseh Road and the Malden Road and that part of the Malden Road between the Huron line and Reaume Avenue; on the south-west by Reaume Avenue and the projection of the westerly limit thereof in a straight line to the Detroit River.

## SCHEDULE "B."

### THE ESSEX BORDER UTILITIES COMMISSION.

Application No. \_\_\_\_\_, made under *The Essex Border Utilities Act*.

To the Councils of the Corporations of Windsor, Walkerville, Sandwich, Ford City, Ojibway and Sandwich West.

The Essex Border Utilities Commission hereby applies for the sum of \$..... for expenditures on capital account (or) for general purposes.

The said sum is apportioned as follows:

Windsor .....	\$
Walkerville .....	\$
Sandwich .....	\$
Ojibway .....	\$
Sandwich West .....	\$

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 192 .

(Seal)

*Chairman.*

*Secretary.*

NOTE:—Do not include moneys required for expenditures on capital account and moneys required for general purposes in the same application. 6 Geo. V, c. 98.

## SCHEDULE "C."

All those portions of the Township of Sandwich East, in the County of Essex, described as follows:—

Firstly: That portion bounded on the north by the southerly limit of Ford City, on the west by the easterly limit of the Town of Walkerville, on the south by the centre line of the Tecumseh Road, and on the east by the centre line of the Pillette Road.

Secondly:

Secondly: That portion bounded on the north by the channel bank of the Detroit River, the harbour line on Lake St. Clair to Lot 142 in the first concession and thence easterly by the water's edge of Lake St. Clair; on the east by the westerly limit of the road along the easterly limit of Lot 156 in the first concession, on the west by the easterly limit of Ford City, and on the south by a line which commences at the intersection of the westerly limit of the road along the easterly limit of Lot 156 and the southerly limit of the highway along the shore of Lake St. Clair, known as the Front Road, thence westerly following along said southerly limit to its intersection with the easterly limit of the Lesperance Road, thence along said easterly limit to a point therein at which the production easterly of the tangent line of the northerly limit of the Windsor and Tecumseh Railway Company's right-of-way across Lot 151 would intersect; thence along the said production easterly of said tangent line and the northerly limit of the said right-of-way to the westerly limit of Lauzon Road; thence southerly along the said westerly limit to the southerly limit of the intersecting road; thence south-westerly in a straight line to the intersection of the easterly limit of plan 835 with the centre line of Elm Street produced easterly; thence westerly along the centre line of Elm Street to the westerly limit of plan 835, thence south-westerly in a straight line to the intersection of the northerly limit of the Grand Trunk right-of-way and the easterly limit of plan 717 of part of farm lot 117; thence along the northerly limit of the Grand Trunk right-of-way to the easterly limit of Ford City. 9 Geo. V, c. 91, sch. "C."

## CHAPTER 100.

An Act respecting the Township of Etobicoke and  
The Weston Golf and Country Club, Limited.*Assented to May 3rd, 1921.*

## Preamble.

**W**HEREAS the Corporation of the Township of Etobicoke and The Weston Golf and Country Club, Limited, have by petition represented that the council of the Township of Etobicoke on the tenth day of January, 1921, passed a by-law enacting that if and when dedications have been legally made of four parcels of land described in the agreement between the Township of Etobicoke and The Weston Golf and Country Club, Limited, dated the tenth day of January, 1921, for the purpose of altering and widening a part of the highway known as Wadsworth Lane from St. Phillips Road to the road allowance between Concessions "A" and "B" and a part of the highway known as Scarlett Road, both in the Township of Etobicoke, and it is made to appear that the said four parcels of land are free from encumbrance, then a portion of the road allowance between Concessions "B" and "C" and a portion of the highway known as Scarlett Road particularly described in said by-law, both in the said Township of Etobicoke, shall be stopped up and closed and for a nominal consideration shall be conveyed to The Weston Golf and Country Club, Limited; that the provisions of said agreement are advantageous and beneficial to the said township; that the said council by said by-law ratified and confirmed the said agreement between the Township of Etobicoke and The Weston Golf and Country Club, Limited, dated the tenth day of January, 1921, being Schedule "A" to the said by-law; that the said closed portion of road allowance between Concessions "B" and "C" is immediately required by The Weston Golf and Country Club, Limited, for use as part of the golf course now being constructed by The Weston Golf and Country Club, Limited; and that in order to immediately carry out the said agreement an Act is required to be passed; and whereas the said Corporation of the Township of Etobicoke and The Weston Golf and Country Club, Limited, by their said petition pray that an Act may be

be passed to confirm and declare legal, valid and binding upon the said corporation and the ratepayers thereof and upon The Weston Golf and Country Club, Limited, respectively, the said by-law being By-Law Number 1288 passed by the municipal council of the said township on the tenth day of January, 1921, and the said agreement between the said corporation and The Weston Golf and Country Club, Limited, dated the tenth day of January, 1921, and the proposed conveyance by the Corporation of the Township of Etobicoke to The Weston Golf and Country Club, Limited, of the said closed portions of road allowance and highway and the dedication and widening of said proposed public ways; and whereas for the purpose of properly altering and widening to a width of sixty-six feet the portion of Wadsworth Lane extending from the road allowance between concessions "B" and "C" to the road allowance between concessions "A" and "B," the Council of the Township of Etobicoke has passed By-law Number 1295 on the seventh day of February, 1921, enacting that if and when the dedications hereinbefore mentioned have been legally made and it is made to appear that the said four parcels of land are free from encumbrance, then those portions of the highway known as Wadsworth Lane, which shall be outside of the proposed sixty-six foot roadway, shall be stopped up and closed and for a nominal consideration shall be conveyed to The Weston Golf and Country Club, Limited; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law Number 1288 of the Corporation of the Town-  
ship of Etobicoke finally passed by the council of the said  
corporation on the tenth day of January, 1921, set out as  
Schedule "A" hereto is hereby ratified and confirmed and  
declared to be legal, valid and binding upon the said Cor-  
poration of the Township of Etobicoke (and the ratepayers  
thereof) and upon The Weston Golf and Country Club,  
Limited, and upon all other persons affected thereby; and  
the said Corporation of the Township of Etobicoke and The  
Weston Golf and Country Club, Limited, are hereby author-  
ized and empowered to do all acts necessary or convenient  
for the full and proper carrying out of the provisions of  
the said By-law Number 1288 and agreement. By-law  
Number 1295 of the Corporation of the Township of Etobi-  
coke, finally passed by the council of the said corporation  
on the seventh day of February, 1921, set out as Schedule  
"B" hereto, is hereby ratified and confirmed and declared  
to

By-law  
No. 1288  
confirmed.

to be legal, valid and binding upon the said Corporation of the Township of Etobicoke (and the ratepayers thereof) and upon The Weston Golf and Country Club, Limited, and upon all other persons affected thereby; and the said Corporation of the Township of Etobicoke and The Weston Golf and Country Club, Limited, are hereby authorized and empowered to do all acts necessary or convenient for the full and proper carrying out of the provisions of the said By-law Number 1295.

Agreement  
between  
Township  
and Golf  
Club con-  
firmed.

**2.** The agreement dated the tenth day of January, 1921, between the Corporation of the Township of Etobicoke and The Weston Golf and Country Club, Limited, as set out in Schedule "A" to the said By-law Number 1288, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the parties thereto are hereby authorized and empowered to do and perform the things provided by the said agreement to be done and performed by them.

Conveyance  
from Town-  
ship to Golf  
Club of part  
of road  
allowance  
confirmed.

**3.** Upon the conveyance from the Township of Etobicoke to The Weston Golf and Country Club, Limited, of a portion of the road allowance between Concessions "B" and "C" in the Township of Etobicoke, particularly described as parcel one: All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of part of the allowance for road between Concessions "B" and "C" fronting the Humber River in the said Township of Etobicoke, which said parcel may be more particularly known and described as follows: Commencing at a point in the easterly limit of said allowance for road where it is intersected by the north-westerly limit of St. Phillips Road, said point being distant 190 feet and 2 inches measured northerly along said easterly limit from the south-west angle of Lot 22 in the said Concession "C," being on the northerly limit of Dixon Road; thence northerly along said easterly limit of allowance for road 1,330 feet and 3 inches to the intersection of a line drawn parallel to the north-easterly limit of a travelled road known as Wadsworth Lane, and distant 66 feet south-westerly therefrom; thence north-westerly along said parallel line across the said allowance for road 81 feet 8 inches to the westerly limit thereof; thence southerly along the last mentioned limit 1,434 feet to the intersection of the production south-westerly of the north-westerly limit of St. Phillips Road aforesaid, said point of intersection being distant 134 feet 6 inches measured northerly along said westerly limit from the south-east angle of Lot Number 22 in said Concession "B," and being also at the northerly limit of  
Dixon

Dixon Road; thence north-easterly along said production 86 feet 4 inches to the place of beginning, and a portion of the highway known as Scarlett Road in said Township of Etobicoke, particularly described as parcel two: All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of that part of a travelled road (known as the Scarlett Road) passing through Lot Number 22 in Concession "C" fronting the Humber River, which said part of travelled road has a length of approximately 1,400 feet and may be more particularly known and described as being bounded on the south by the northerly limit of the allowance for road (known as the Dixon Road) adjoining the southerly limit of said Lot Number 22 and bounded on the north by a travelled road known as St. Phillips Road passing in a north-easterly direction through the said Lot Number 22, and a portion of the highway known as Wadsworth Lane, in the said Township of Etobicoke, particularly described as parcel three: All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of that part of a travelled road (known as Wadsworth Lane) passing through Lot Number 23 in Concession "B," which lies outside of the parcel of land to be conveyed by The Weston Golf and Country Club, Limited, to the Township of Etobicoke, i.e., which lies outside of the lands particularly described as parts of Lots Numbers 23 and 24 in Concession "B," fronting on the Humber River in said township, and being a strip of land 66 feet in width. bounded at its easterly end by the easterly limit of said Lot Number 23 and at its westerly end by the westerly limits of said Lots Numbers 23 and 24, and which may be described as lying 33 feet on either side of the herein described centre line: Commencing at a point in the easterly limit of Lot Number 23 Church Street, distant 1,609 feet 4 inches measured northerly along the easterly limits of Lots Numbers 22 and 23 from the south-easterly angle of Lot Number 22; thence north 70 degrees 8 minutes west, 121 feet to a point of curve; thence on a curve to the left, having a radius of 713 feet, 343 feet to the end of said curve; thence south 82 degrees 18 minutes west, 982 feet to a point of curve; thence on a curve to the right, having a radius of 1,818 feet, 708 feet 6 inches to the end of said curve; thence on a curve to the left, having a radius of 4,189 feet, 1,463 feet to a point in the westerly limit of said Lot Number 23, distant 2,640 feet measured northerly along the westerly limits of Lots Numbers 22 and 23 from the south-westerly angle of said Lot Number 22 (the northerly 16 degrees west  
of

of the easterly limit of Lot Number 23 governs bearings herein), it shall be valid and binding upon the said Corporation of the Township of Etobicoke and the said lands therein described shall thereupon be vested in The Weston Golf and Country Club, Limited, its successors and assigns, in fee simple, parcel one hereinbefore described being subject however to the charge and obligations imposed upon The Weston Golf and Country Club, Limited, its successors and assigns, to construct the culverts, do the work and instal and maintain the water supply contemplated by said agreement.

Date when  
Act takes  
effect.

4. This Act shall come into force and take effect on the day on which it receives the Royal Assent.

## SCHEDULE "A."

## BY-LAW No. 1288,

Being a by-law to close up a portion of the road allowance between Concessions "B" and "C" in the Township of Etobicoke, and a portion of the highway known as Scarlett Road in the said Township of Etobicoke, and to authorize the conveyance of same by the Township of Etobicoke to The Weston Golf and Country Club, Limited, in lieu of four parcels of land to be conveyed by The Weston Golf and Country Club, Limited, to the Township of Etobicoke, for the purpose of altering and widening a part of the highway known as Wadsworth Lane and a part of the highway known as Scarlett Road, and to authorize the execution of an agreement between the Township of Etobicoke and The Weston Golf and Country Club, Limited.

Whereas The Weston Golf and Country Club, Limited, have executed an agreement with the Township of Etobicoke, dated the tenth day of January, 1921, and have executed a conveyance to the Township of Etobicoke, dated the tenth day of January, 1921, of four parcels of land for the purpose of altering and widening a part of the highway known as Wadsworth Lane from St. Phillips Road to the road allowance between concessions "A" and "B" and a part of the highway known as Scarlett Road, in consideration of the conveyance by the Township of Etobicoke to The Weston Golf and Country Club, Limited, of a portion of the road allowance between concessions "B" and "C" and a portion of the highway known as Scarlett Road particularly described in the said agreement.

And whereas it is expedient to execute the said agreement and carry out the same;

Be it therefore enacted as a by-law of the Municipal Corporation of the Township of Etobicoke:—

1. That if and when said dedications have been legally made, and it is made to appear that the said four parcels of land are free from encumbrance, then a portion of the road allowance between concessions "B" and "C" in the Township of Etobicoke, particularly described as parcel one:—All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of part of the allowance for road between concessions "B" and "C" fronting the Humber River in the said Township of Etobicoke, which said parcel may be more particularly known and described as follows:—Commencing at a point in the easterly limit of said allowance for road where it is intersected by the north-westerly limit of St. Phillips Road, said point being distant 190 feet and 2 inches measured northerly along said easterly limit from the south-west angle of lot 22 in the said concession "C"; thence northerly along said easterly limit of allowance for road 1,330 feet and 3 inches to the intersection of a line drawn parallel to the north-easterly limit of a travelled road known as Wadsworth Lane, and distant 66 feet south-westerly therefrom; thence north-westerly along said parallel line across the said allowance for road 81 feet and 8 inches to the westerly limit thereof; thence southerly along the last-mentioned limit 1,434 feet to the intersection of the production south-westerly of the north-westerly limit of St. Phillips Road aforesaid, said point of intersection being distant 134 feet 6 inches measured northerly along said westerly limit from the south-east angle of lot number 22 in said concession "B"; thence north-easterly along said production 86 feet 4 inches to the place of beginning, which said parcel is shewn colored pink on the plan hereto attached

attached, and a portion of the highway known as Scarlett Road in said Township of Etobicoke, particularly described as parcel two:— All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Etobicoke, in the County of York and Province of Ontario, being composed of that part of a travelled road (known as the Scarlett Road) passing through lot number 22 in concession "C" fronting the Humber River, which said part of travelled road has a length of approximately 1,400 feet and may be more particularly known and described as being bounded on the south by the northerly limit of the allowance for road (known as the Dixon Road) adjoining the southerly limit of said lot number 22, and bounded on the north by a travelled road known as St. Phillips Road passing in a north-easterly direction through the said lot number 22, which said parcel is shewn colored brown on the plan hereto attached, shall be stopped up and closed, and that the same for a nominal consideration shall be conveyed to The Weston Golf and Country Club, Limited.

2. That the agreement between the Township of Etobicoke and The Weston Golf and Country Club, Limited, dated the tenth day of January, 1921, hereto annexed as schedule "A", forming a part of this by-law, be and the same is hereby ratified and confirmed.

3. That the reeve and clerk of the said Municipal Corporation of the Township of Etobicoke be and they are hereby authorized and directed to execute the said agreement and the said conveyance by the Township of Etobicoke to The Weston Golf and Country Club, Limited, and to accept dedication for public purposes of said recited parcels of land as thereby provided and to attach the official seal of the corporation to the said agreement and conveyance.

Passed the tenth day of January, 1921.

W. J. GARDHOUSE,  
*Reeve.*

S. BARRATT,  
*Clerk.*

*SCHEDULE "A."*

TO BY-LAW NUMBER 1288 OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF ETOBICOKE.

This agreement made in triplicate the tenth day of January, 1921.

Between:

The Municipal Corporation of the Township of Etobicoke, of the first part,

and

The Weston Golf and Country Club, Limited, of the second part:

Witnesseth that the party of the first part agrees to grant and convey to the party of the second part the following lands:—Parcel one—A portion of the road allowance between concessions "B" and "C" particularly described in deed from Township of Etobicoke to The Weston Golf and Country Club, Limited, of even date herewith being parcel one in said deed, which said parcel is shown colored pink on plan hereto attached. Parcel two—A portion of the highway known as Scarlett Road, in the said Township of Etobicoke, particularly described in said deed from the Township of Etobicoke to The Weston Golf and Country Club, Limited, of even date herewith, being parcel two in said deed, which said parcel is shown colored brown on plan hereto attached, in lieu of the following lands which the party of the second part agrees to convey to the party of the first part:—Parcels "A" and "B" for the purpose of altering and widening a part of the public highway known as Wadsworth Lane, and parcel "C" for the purpose of altering and widening a part of the highway known as Scarlett Road, said parcels being particularly described in deed of even date herewith from The Weston Golf and Country Club, Limited, to the Township of Etobicoke, and being parcel "A" in said deed, which said parcel is shown colored green on the plan hereto attached, and parcel "B" in said deed, which said parcel is shown colored yellow on the plan hereto attached, and parcel "C" in said deed, which said parcel is shown colored blue on the plan hereto attached, and parcel "D" being portion to widen Wadsworth Lane from concession "B" to concession "A".

In consideration of the conveyance above-mentioned by the party of the first part to the party of the second part the party of the second part further agrees to forthwith supply and place and maintain in perpetuity a water trough satisfactory to the party of the first part for public use at a point indicated on the plan hereto attached, and to free of charge supply and at all times maintain an ample quantity of water to the said trough by a pipe connected with the water system on the lands of the party of the second part as soon as the said water system has been completed, and the party of the second part further agrees to forthwith or as soon as the location thereof is indicated, supply and place culverts satisfactory to the party of the first part and its engineer at the points to be indicated by the township's engineer or by the council. The Weston Golf and Country Club, Limited, agree to grade the new portion of Scarlett Road above-mentioned to the satisfaction of the Council of the Township of Etobicoke and of its engineer.

In witness whereof the Council of the said Corporation of the Township of Etobicoke have caused the Corporate Seal of the said township to be affixed hereto by the hands of the reeve and clerk

thereof

thereof, and the said The Weston Golf and Country Club, Limited, has caused its Corporate Seal to be hereunto affixed by the hands of the president and secretary thereof.

(Seal.)

The Township of Etobicoke.

W. J. GARDHOUSE,  
*Reeve.*

(Seal.)

S. BARRATT,  
*Clerk.*

The Weston Golf and Country Club, Limited.

L. R. YOUNG,  
*President.*

ST. A. TYRWHITT,  
*Secretary.*

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## SCHEDULE "B."

### BY-LAW No. 1295.

Being a by-law to close up a portion of the highway known as Wadsworth Lane, in the Township of Etobicoke, and to authorize the conveyance of same by the Township of Etobicoke to The Weston Golf and Country Club, Limited.

Whereas it was agreed between The Weston Golf and Country Club, Limited, and the Township of Etobicoke that a part of the highway known as Wadsworth Lane should be altered and widened to a width of sixty-six feet from St. Phillips Road to the road allowance between Concessions "A" and "B";

And whereas in order to carry out the said agreement so far as it relates to that portion west of Church Street, it is necessary to close those portions of the highway known as Wadsworth Lane lying outside of the proposed sixty-six foot roadway extending from the road allowance between Concessions "B" and "C" to the road allowance between Concessions "A" and "B," in the Township of Etobicoke, as at present travelled, and to convey the same to The Weston Golf and Country Club, Limited.

And whereas by the said agreement between the Township of Etobicoke and The Weston Golf and Country Club, Limited, it is provided that The Weston Golf and Country Club, Limited, is to convey the lands necessary to also widen the said Wadsworth Lane from the road allowance between Concessions "B" and "C" to the road allowance between Concessions "A" and "B," in the Township of Etobicoke, as well as three other parcels of land.

And whereas it is expedient to carry out the said agreement;

Be it therefore enacted as a by-law of the Municipal Corporation of the Township of Etobicoke:—

1. That if and when the said dedications have been legally made and it is made to appear that the said four parcels of land are free from

from encumbrance, then those portions of the highway known as Wadsworth Lane, which shall be outside of the proposed sixty-six foot roadway, said sixty-six foot roadway shown coloured green on the plan hereto attached, shall be stopped up and closed, and that the same for a nominal consideration shall be conveyed to The Weston Golf and Country Club, Limited.

2. That the Reeve and Clerk of the said Municipal Corporation of the Township of Etobicoke be and they are hereby authorized and directed to execute the said conveyance by the Township of Etobicoke to The Weston Golf and Country Club, Limited, and to attach the official seal of the Corporation to the said agreement and conveyance.

Passed the 7th day of February, 1921.

(Seal.)

W. J. GARDHOUSE,

*Reeve.*

S. BARRATT,

*Clerk.*

\* I hereby certify the above to be a true copy of By-law No. 1295, passed the 7th day of February, 1921.

S. BARRATT.

## CHAPTER 101.

## An Act respecting the Division of the Township of Ferris, in the District of Nipissing.

*Assented to May 3rd, 1921.*

Preamble

**W**HEREAS certain ratepayers of the Township of Ferris, in the District of Nipissing, have by their petition represented that the Township of Ferris is too large and that it is impossible to properly and conveniently transact municipal business; and whereas the Municipal Council of the Township of Ferris has by resolution approved of the division of the said township; and whereas it is expedient to grant the prayer of the petition as hereinafter set forth;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Township of  
West Ferris  
incorporated

**1.** That portion of the present Township of Ferris, in the District of Nipissing, particularly described as follows:—Commencing at a point on Lake Nipissing where the concession line between concessions ten and eleven intersects the shore of Lake Nipissing; thence in an easterly direction along the said concession line between the said concessions ten and eleven to a point where the said concession line intersects the dividing line between lots number twenty-four and twenty-five in concessions ten and eleven; thence in a northerly direction along the dividing line between lots number twenty-four and twenty-five through concessions eleven, twelve, thirteen, fourteen, fifteen and sixteen, to the dividing line between concessions sixteen and seventeen to a point in the boundary line between the Township of Ferris and the Township of Widdifield; thence in a westerly direction following said boundary line between the

boundary

boundary line between the Township of Ferris and the Township of Widdifield to the boundary line between the Township of Ferris and the Town of North Bay; thence in a south-westerly direction along said boundary line between the Town of North Bay and the Township of Ferris to the shore of Lake Nipissing; thence in a south-easterly direction along the shore of Lake Nipissing to the point of commencement, shall be and is withdrawn from the said Township of Ferris and is incorporated as a separate township municipality, to be known as the Township of West Ferris. The said territory shall thereafter be deemed to be such separate municipality for all municipal, school and other purposes whatsoever, in the same manner to all intents and purposes as, and such municipality and township corporation hereby created shall enjoy all the rights and privileges and be subject to all the liabilities appertaining to other townships in the Province of Ontario.

**2.** The remaining portion of the Township of Ferris, as constituted at this date, shall be and is hereby incorporated as the Township of East Ferris. The said territory shall thereafter be deemed to be such separate municipality for all municipal, school and other purposes whatsoever in the same manner to all intents and purposes as, and such municipality and township corporation hereby created shall enjoy all the rights and privileges and be subject to all the liabilities appertaining to other townships in the Province of Ontario.

**3.** All and every the assets and debts of the present municipality of Ferris shall be divided between the respective municipalities of West Ferris and East Ferris in the same manner and by the same proceedings, as nearly as may be, as in the case of separation of a junior township from a senior township, and as soon as the said assets and debts shall have been divided as aforesaid, each of the said municipalities shall be bound to the repayment of the share of the said debts which shall have been so assigned to it as aforesaid, as though such share of the said debts had been incurred by such municipalities respectively; each of the townships hereby created remaining, however, liable as surety in respect of the share (if any) of the said debts which it is not its duty primarily to pay.

**4.** The first nomination for the election of municipal councillors for the said townships shall take place on Mon-

day

day, the twenty-sixth day of December, in the year 1921, and the polling (if any) at such elections shall take place on the first Monday in January next thereafter. The place of holding such nomination for the township of East Ferris shall be where the last annual nomination of councillors for the Township of Ferris was holden, and the returning officer at such nomination and election shall be the clerk of the present Township of Ferris. The place for holding the nomination for the Township of West Ferris shall be the school house, on Kennedy Avenue, in the present Township of Ferris, and the returning officer at such election shall be Roderick McLeod, of the present Township of Ferris, yeoman.

Provisions  
Rev. Stat.,  
c. 192,  
to apply  
as to  
separation

5. The provisions of *The Municipal Act*, having reference to the case of a separation of junior township from a senior township, shall apply to the townships hereby formed, and for the purpose of applying such provisions, the said Township of West Ferris shall be deemed to have been the junior township, and the corporation of the Township of East Ferris shall be deemed to have been the senior township, and the corporation of the Township of East Ferris shall be deemed to be a continuation of the said corporation of Ferris.

Copy of  
assessment  
roll to be  
furnished to  
returning  
officer of  
Township of  
West Ferris.

6. The clerk of the said Township of Ferris shall furnish to the returning officer of the Township of West Ferris, before the said election, a copy of the assessment roll of the Township of Ferris for the year 1921, so far as the same contains the rateable property assessed and the names of the owners, tenants, and occupants thereof within that part of the said township which is hereby constituted the Township of West Ferris.

Liability  
for upkeep,  
etc., of  
drains.

7. Nothing in this Act contained shall be construed to have the effect of relieving any owner of lands or any municipality from any liability existing at the time of the passing of this Act for maintaining and keeping in repair any ditch, drain, creek or water course, but such liability shall continue as if this Act had not been passed, and all future assessments in respect of any ditch, drain, creek, or water course being partly in the Township of East Ferris and partly in the Township of West Ferris shall be made and levied by the municipal council of each of the said townships against the lands liable for such assessments herein.

**8.** All expenses of obtaining this Act and of furnishing <sup>Expenses</sup> any documents, copies of papers, writings, deeds or any <sub>of Act.</sub> other matter whatsoever required for the passing of the same, and all expenses necessary to put this Act into effect, shall be paid by the Township of West Ferris.

**9.** This Act shall come into force on the 26th day of <sup>Commence-</sup> December, 1921. <sub>ment</sub>  
<sub>of Act.</sub>

## CHAPTER 102.

## An Act to annex Certain Land to the Town of Ford City.

*Assented to May 3rd, 1921.*

## Preamble.

**W**HEREAS the Municipal Corporation of the Town of Ford City, Ulysses Reaume of the Town of Ford City in the County of Essex, insurance broker; Frank D. Riberdy of the said Town of Ford City, insurance broker; Joseph L. Reaume of the said Town of Ford City, retired farmer, and others have, by their petition, requested that this territory hereinafter described be constituted part of and annexed to the Municipal Corporation of the Town of Ford City and the said petitioners have prayed that an Act may be passed for the purpose of incorporating the said territory and adding same to the said Town of Ford City; and where-as it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Annexation of certain lands to Town of Ford City and description thereof.

**1.** The lands hereinafter described shall be and are hereby annexed to and constituted part of the corporation of the Town of Ford City separate and apart from the Township of Sandwich East in the County of Essex from which township said lands are hereby detached. The following is a description of said lands:—All and singular that certain parcel or tract of land, situate, lying and being in the Township of Sandwich East, County of Essex, Province of Ontario, containing by admeasurement one thousand one hundred and twenty-four (1,124) acres more or less; being composed of those parts of farm lots 97 to 111 inclusive, lying within the present south limit of Ford City and the centre line of the Tecumseh Road and the west limit of said lot 97 and the east limit of said lot 111, according to McNiff's survey in the first concession of the said Township of Sandwich East, and may be more particularly described as follows: Commencing at the intersection of the centre line of Tecumseh Road with the line of

the easterly limit of lands of the Lake Erie and Detroit River railway; thence northerly along said limit (being the easterly limit of the Town of Walkerville) five thousand nine hundred and fifty-three feet to its intersection with a portion of the southerly limit of the Town of Ford City; thence easterly along said limit four hundred and nine (409) feet to its intersection with the westerly limit of St. Luke Road, being a westerly limit of said Town of Ford City; thence southerly along said limit one thousand four hundred and four (1,404) feet to its intersection with the northwesterly limit of lands of the Essex Terminal Railway, being a southerly limit of said Town of Ford City; thence north-easterly along said limit four thousand and sixty (4,060) feet to its intersection with the southerly limit of lands of the Grand Trunk Railway, being a southerly limit of said Town of Ford City; thence easterly along said limit one thousand one hundred and twenty (1,120) feet to its intersection with the former easterly limit of Parent Road, being an easterly limit of the said Town of Ford City; thence northerly along said limit one hundred and thirty-two (132) feet six (6) inches to the northerly limit of lands of the Grand Trunk Railway, being a southerly limit of the said Town of Ford City; thence easterly along said limit three thousand eight hundred and eighty-one (3,881) feet to the easterly limit of farm lot 111, being an easterly limit of said Town of Ford City; thence southerly along said easterly limit of farm lot 111 five thousand three hundred and fifty-three (5,353) feet to the said centre line of Tecumseh Road; thence westerly along said line seven thousand nine hundred and seventy (7,970) feet more or less to the place of beginning.

**2.** The council of the said town may pass a by-law for taking the assessment of the said annexed lands for the year 1921, between the first day of April, 1921, and the first day of June, 1921, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the first day of July, 1921, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended and the final return by the judge four weeks from that day.

Assessment  
for 1921 to  
be taken  
by town.

**3.** The provisions of *The Municipal Act* as to the adjustment of assets and liabilities and as to matters consequent on the formation of new corporations, shall apply as if the said land had been annexed to the town under the provisions of *The Municipal Act*, except:—

Adjustment  
of assets  
and liabilities.

**Exceptions.**

(a) The taxes for the year 1921 shall be collected by the Town of Ford City and belong to the said town;

(b) Any expenditure by the Township of Sandwich East within the limits of the said annexed area from the first day of January, 1921, to the date of the passing of this Act shall be a liability upon the Town of Ford City.

**Expenses of Act.**

4. The expense incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, dates or any other matters whatsoever required by the clerk or other officer of said town or otherwise, shall be borne by the town and paid by it to any person who may be entitled thereto.

**Taxes for 1920.**

5. Notwithstanding anything in this Act contained, the Township of Sandwich East shall continue to have full power and authority to levy, collect and retain and use for its own purpose, all taxes properly levied or assessed against any of the above-described lands hereby annexed to the said town down to and including the taxes for the year 1920.

**Power to borrow \$39,000 for certain purposes on debentures.**

6. The Corporation of the Town of Ford City may without the assent of the electors qualified to vote on money by-laws pass a by-law to borrow a sum not exceeding \$39,000 by the issue of debentures payable within a period not exceeding ten years and bearing interest at such rate as the council may determine, \$9,000 of which debentures will be issued on the credit of taxes in arrear in the said town and the balance for the purpose of paying and discharging certain debts which have been incurred for the following purposes:—

Purchase of site for a corporation barn..	\$4,000 00
Discount on sale of debentures during 1920 . . . . .	1,385 09
Permanent improvements to pavements on Sandwich Street, St. Luke Road and Montreal Avenue . . . . .	16,681 81
Extensions to sewers on Edna Street and Drouillard Road . . . . .	2,564 25
Instalment of fire hydrants and purchase of appliances and equipment for fire and police departments and Board of Works . . . . .	4,862 85

7. No irregularity in the form of any of the debentures issued under the authority of this Act, or any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the Corporation of the Town of Ford City for the recovery of the amount thereof, or interest thereon, or any part thereof.

Irregularity  
not to  
invalidate.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

Date when  
Act to  
take effect.

## CHAPTER 103.

## An Act respecting the Town of Gananoque.

*Assented to April 8th, 1921.*

Preamble.

**W**HEREAS the Municipal Corporation of the Town of Gananoque has, by its petition, represented that it has incurred a floating indebtedness of \$15,000; such floating debt was in a large measure incurred by the unexpected increase in county rate of said town by about 100 per cent. over the year 1919, and all previous years and by the fact that the said corporation has in the past never received any financial return from the Board of Water Commissioners of said town, who have used such revenue for making extensions instead of issuing debentures; another reason for such deficit is that the assessment of said town is upon a low scale; and whereas the debenture debt of the said town, exclusive of local improvements, is \$250,000, which debt was largely incurred in the installation of an up-to-date and modern system of waterworks and sewerage in said town, which undertakings were unusually and exceptionally expensive owing to the large quantity and peculiar hardness of the rock formation of said town; and whereas no part of the principal or interest of said debt is in arrear; and whereas the fixed assets of said town are about \$500,000; and whereas the rateable property of the said town, according to the last revised assessment roll, is the sum of \$1,532,017, and the rate for municipal purposes for 1920 was 25.36 mills; and whereas the payment forthwith of the said sum of \$15,000 would under present after-war conditions and in view of the present high cost of living, in addition to meeting the necessary annual expenditure of the corporation, be unduly burdensome and oppressive upon the ratepayers of the said town; wherefore the Corporation of the Town of Gananoque prays that authority be given to borrow the sum of \$15,000 to pay said floating municipal debt now due and owing; and whereas it is expedient to grant the prayer of said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The floating debt of the Corporation of the Town of Gananoque is consolidated at the sum of \$15,000 for the purpose of paying the said indebtedness.

Consolidation of floating debt. \$15,000.

2. The said debentures shall be payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding six and one-half per cent. per annum and shall be payable at such place or places as the corporation may deem expedient.

Term of debentures.

3. The said debentures shall be issued payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as possible to what is payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Equal annual instalments of principal and interest.

4. The said corporation shall levy in each year during the period within which such debt is payable, in addition to all other rates, a special rate sufficient to produce the annual instalments of principal and interest falling due upon the said debentures.

Special rate.

5. The debentures and all moneys arising therefrom shall be applied in payment of said floating debt and for no other purpose.

Application of proceeds of debentures.

6. It shall not be necessary to obtain the assent of the electors or ratepayers of the Town of Gananoque to the passing of any by-law which shall be passed under the authority of this Act or for the purposes of carrying out the same or to observe the formalities in relation thereto ordinarily required by *The Municipal Act* or any amendment thereto.

Assent of electors not required.

Rev. Stat., c. 192.

7. No irregularity in the form of said debentures or any of them or of any by-law authorizing the same shall render the same invalid or illegal or be allowed as a defence to any action brought against the corporation for the recovery of said debentures or interest on any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or of issuing debentures or as to the application of the proceeds thereof.

Irregularity in form not to invalidate.

8. The said corporation may, for the purposes herein mentioned, raise the money hereby authorized by way of loan on the said debentures or sell or dispose of the said debentures from time to time as it may deem expedient.

Sale of debentures.

Treasurer  
to keep  
proper  
books of  
account.

**9.** It shall be the duty of the treasurer for the time being of said town to keep and it shall be the duty of each of the members from time to time of the said municipal council to procure such treasurer to keep and see that he does keep a proper book of account setting forth a full and particular statement, so that the same shall always show the number of debentures which shall from time to time be issued under the powers conferred by the preceding sections, and the respective amounts which shall from time to time be realized from the sale or disposal of the said debentures, and the application which shall from time to time be made of the said amounts, and the said book of account and statement shall at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred.

## CHAPTER 104.

## An Act to incorporate the Town of Georgetown.

*Assented to April 8th, 1921.*

**W**HEREAS the Village of Georgetown, in the County of Halton, is an important business centre, in the heart of a rich and well settled farming community, and is rapidly increasing in population owing to its favourable location, and owing to the establishment and operation in the said village of manufacturing industries; and whereas the corporation of the said village have, by their petition, represented that the population of the said village is now greater than that required by *The Municipal Act* for a town, and the incorporation of the village as a town has been requested by the Board of Trade of the village and would greatly promote the future prosperity of the village and enable it to provide for its growing population a more efficient administration of its public affairs; and whereas it is expedient to grant the prayer of the said petition:

Preamble.  
Rev. Stat.,  
c. 192.

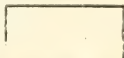
Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. From and after the holding of the first election under this Act, the said Village of Georgetown shall be and is hereby constituted a corporation or body politic under the name of "The Corporation of the Town of Georgetown," and shall enjoy and have all the rights, powers, and privileges enjoyed and exercised by incorporated towns in the Province of Ontario, under the existing municipal laws of the said province except where otherwise provided by this Act.

Incorporation of the Town of Georgetown.

2. The said Town of Georgetown shall comprise and consist of the present Village of Georgetown.

Limits.



3. The provisions of *The Municipal Act* relating to matters consequent on the formation of new municipal corporations and the other provisions of *The Municipal Act* relating to

Application of R.S.O. 1914, c. 192.

towns

towns shall, after the holding of the first election under this Act, except as is herein otherwise provided, apply to the said Town of Georgetown in the same manner as if the said Village of Georgetown had been erected into a town under the provisions of *The Municipal Act*.

Date of  
nomination  
and election.

4. On the last Monday in the month of December, 1921, it shall be lawful for Frederick L. Heath, or the clerk of the municipality for the time being, who is hereby appointed returning officer, to hold the nomination for the first election of mayor, reeve and councillors at the Town Hall in the said Village of Georgetown, at the hour of noon, of which due notice shall be given in the same manner as the same would be given if the said Town of Georgetown had been incorporated under the provisions of *The Municipal Act*, and amending Acts, and he shall preside at the said nomination or in case of his absence the electors present shall appoint among themselves a chairman to preside at the said nomination and the said chairman shall have all the powers of a returning officer and the polling for the said election (if necessary) shall be held on the same day of the week next following the said nomination, and the returning officer or chairman shall, at the close of the nomination, publicly announce the place or places at which the polling shall take place.

Appoint-  
ment of  
deputy  
returning  
officers, etc.

5. The said returning officer, by his warrant, shall appoint a deputy returning officer for each of the polling subdivisions into which the town is divided, and such returning officer and each deputy returning officer shall, before the holding of the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of the municipal laws of Ontario, applicable to returning officers at elections in towns in so far as the same do not conflict with this Act, and the said returning officer shall have all the powers and perform all the duties devolving on town clerks with respect to municipal elections in towns.

Council—  
how com-  
posed.

6. The council of the said town to be elected in manner aforesaid, shall consist of a mayor, who shall be the head thereof, a reeve and six councillors, and two of the said councillors shall be elected for each of the wards hereafter provided for.

First  
meeting of  
council.

7. The mayor, reeve and councillors who shall be elected shall hold their first meeting at the Council Chamber in the said Town of Georgetown at 10 o'clock in the forenoon of the same day of the week next following the polling, and if there shall not be any polling, of the same day of the week next following the nomination.

**8.** The several persons who shall be elected or appointed under this Act shall take the declarations of office and qualification now required by the municipal laws of Ontario to be taken by persons elected or appointed to like office in towns. Declaration of office, etc.

**9.** At the first election of mayor, reeve and councillors for the said Town of Georgetown, the qualification of electors and that of officers required to qualify shall be the same as that required in towns by the municipal laws of Ontario. Qualifications of officers and electors.

**10.** The expenses incurred in obtaining this Act, and of furnishing any documents, copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said Town of Georgetown, or otherwise, shall be borne by the said town and paid by it to any person entitled thereto. Expenses of Act.

**11.** All by-laws and municipal regulations which are in force in the Village of Georgetown, shall continue and be in force as if they had been passed by the Corporation of the Town of Georgetown, and shall extend to and have full effect within the limits of the town to be incorporated. By-laws continued.

**12.** The property assets, debts, liabilities and obligations of the Village of Georgetown shall belong to and be assumed and paid by the Town of Georgetown. Property debts, etc., transferred to town.

**13.** All officers of the said Village of Georgetown shall continue to act and have power as such, as officers of and within the Town of Georgetown, until the council of the said town shall otherwise order and direct. Officers continued.

**14.** The said Town of Georgetown shall be divided into three wards, to be known respectively as Ward One, Ward Two, and Ward Three, and each of the said wards shall be respectively composed of the lands described as follows:—

#### *Ward One.*

All and singular that certain parcel or tract of land, composed of the easterly halves of lots 19 and 20, in the eighth concession of the Township of Esquesing, and all that part of the westerly halves of lots 19 and 20, in the ninth concession lying west of the west branch of the River Credit, and which said parcel or tract of land may be more particularly described as follows: Commencing at the point where the centre line of the eighth concession is intersected by the line between the easterly halves of lots 18 and 19; thence northwesterly,

northwesterly, along the centre line of the said eighth concession, to the point where the said line is intersected by the line between the easterly halves of lots 20 and 21; thence north 37 degrees and 46 minutes east, along the said line between the easterly halves of lots 20 and 21, to the westerly edge of the west branch of the River Credit; thence southeasterly, following the said westerly edge of the said west branch of the River Credit, to the line between the westerly halves of lots 18 and 19, in the said ninth concession; thence south 37 degrees and 46 minutes west along the said line between westerly halves of lots 18 and 19, in the said ninth concession and between the easterly halves of lots 18 and 19, in the eighth concession, to the place of beginning; containing an area of three hundred and sixteen and one-half (316.5) acres, more or less.

#### *Ward Two.*

All and singular that certain parcel or tract of land, composed of the easterly halves of lots 18 and 19, in the ninth concession, all that part of said lots 18 and 19, in the tenth concession lying west of the River Credit, all that part of the west halves lots 19 and 20, in the ninth concession lying east of the west branch of the River Credit, all that part of the west half of lot 18, in the ninth concession, lying east of the said west branch of the River Credit and all that part of lot 17, in the said ninth concession, lying north of the Guelph and Toronto Road; and which said parcel or tract of land may be more particularly described as follows: Commencing at the point where the centre line of the said concession line is intersected by the line between the westerly halves of lots 20 and 21; thence south 37 degrees and 46 minutes west, along the said line between the westerly halves of lots 20 and 21, to the westerly edge of the west branch of the River Credit; thence southeasterly, following the said westerly edge of the west branch of the River Credit, to the line between the westerly halves of lots 18 and 19; thence south 37 degrees and 46 minutes west, along said line, to the centre line of the Guelph and Toronto Road; thence easterly, along the centre line of the said Guelph and Toronto Road, to the line between the easterly halves of lots 16 and 17, in the said ninth concession; thence north 37 degrees and 46 minutes east, along the said line between the easterly halves of lots 16 and 17, to the centre line of the road allowance between the ninth and tenth concessions; thence north 45 degrees and 11 minutes west, along the said centre line of said road allowance, to the centre line of the road allowance between lots 17 and 18; thence north 37 degrees and 46 minutes east, along the said centre line of the

the

the road allowance, between lots 17 and 18, to the westerly edge of the River Credit; thence northwesterly, following the said westerly edge of the River Credit, to the line between the westerly halves of lots 19 and 20, in the tenth concession; thence south 37 degrees and 46 minutes west, along the line between the westerly halves of lots 19 and 20, in the said tenth concession, and along the line between the said lots 19 and 20, in the ninth concession, to the centre line of the said ninth concession; thence northwesterly, along the said centre line of the ninth concession, to the place of beginning; containing an area of four hundred and ninety-two (492) acres, more or less.

### *Ward Three.*

All and singular that certain parcel or tract of land, composed of the easterly half of lot 18, in the eighth concession, the westerly half of lot 17, in the ninth concession, all that part of the westerly half of lot 18, in the ninth concession, lying south of the Guelph and Toronto Road, all that part of the easterly half of lot 17, in the eighth concession, lying west of the west branch of the River Credit and all that part of the east half of lot 17, in the ninth concession, lying south of the Guelph and Toronto Road, in the Township of Esqueness and which said parcel or tract of land may be more particularly described as follows: Commencing at the point where the centre line of the said eighth concession is intersected by the line between the easterly halves of lots 18 and 19, in the said concession; thence north 37 degrees and 46 minutes east, along the said line between the easterly halves of the said lots 18 and 19, to the centre line of the Guelph and Toronto Road; thence easterly, along the said centre line of the Guelph and Toronto Road, to the line between the easterly halves of lots 16 and 17, in the ninth concession; thence south 37 degrees and 46 minutes west, along the said line between the easterly halves of lots 16 and 17, in the said ninth concession, and along the line between the westerly halves of lots 16 and 17, in the same concession, to the northerly edge of the west branch of the River Credit; thence southwesterly, following the said northerly edge of the said west branch of the River Credit, to the said centre line of the eighth concession; thence northwesterly along the said centre line of the said eighth concession to the place of beginning; containing an area of three hundred and sixty-two and one-half (362.5) acres, more or less.

## CHAPTER 105.

## An Act respecting the City of Guelph

*Assented to April 8th, 1921.*

Preamble.

**W**HEREAS the Corporation of the City of Guelph has by its petition represented that it owns all the issued capital stock of the Guelph Radial Railway Company and that it is desirable to increase the capital stock of the said company and to increase the fares at present authorized to be charged by the said company; and whereas the said corporation has also represented that it is desirable to give the Guelph Cemetery Commission further authority as hereinafter mentioned; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Increase of  
capital  
stock.

**1.** The capital stock of the Guelph Radial Railway Company shall be increased by \$250,000 in addition to the present capital stock.

Fares on  
street  
railway.

**2.** Notwithstanding anything contained in the agreement dated August 7th, A.D. 1894, between the Corporation of the City of Guelph and George Sleeman, a copy of which agreement is contained in Schedule "A" to Chapter 98 of the Statutes passed in the 58th year of the reign of Her late Majesty Queen Victoria, and notwithstanding any general or special Act of the Province of Ontario the Guelph Radial Railway Company shall be entitled to charge fares upon the railway owned and operated by it up to but not exceeding the following:—

Single cash fares are to be seven cents each.

A class of tickets must be sold at the rate of four for twenty-five cents.

Fares

Fares after 11 o'clock at night and before 5 o'clock in the morning to be double the ordinary maximum single fares.

3. The Guelph Cemetery Commission is hereby authorized to establish and administer a fund for the perpetual care of lots in the cemetery managed and controlled by it. All moneys received for the perpetual care of lots in the cemetery managed and controlled by the Guelph Cemetery Commission shall each month be set apart by the treasurer of the commission for the time being and placed in a separate trust fund, the principal of which shall at all times be kept intact, and shall not be diverted to or used for any purpose whatever except to produce a revenue to be expended for perpetual care of lots as hereinafter set out. The principal of the said trust fund shall be invested and reinvested from time to time in the same manner as trustees are authorized to invest trust moneys, and the income only therefrom shall from time to time be applied under the direction of the commission, so far as the said income shall permit, for the care of lots whose owners have contributed to the said perpetual care fund. A separate record of the said perpetual care accounts shall be kept by the treasurer of the commission, who shall also keep in a book separate from the general cemetery accounts, a record of the investment of the said perpetual care fund and of the receipt and expenditure of the income thereof.

4. The Guelph Cemetery Commission shall have power to sell, convey and give a good title to lots or plots for burial purposes from the lands under its control and management from time to time, and all sales and conveyances of lots or plots for burial purposes heretofore made by the said commission are hereby validated.

## CHAPTER 106.

## An Act respecting the Town of Kincardine.

*Assented to May 3rd, 1921.*

## Preamble.

**W**HEREAS the Municipal Corporation of the Town of Kincardine has by its petition represented that it has incurred a floating indebtedness of thirty-eight thousand dollars, represented by an overdraft at the bank, which floating debt was largely incurred on permanent improvements and works of a necessary character, made up as follows: Work on and in connection with roads and bridges, \$10,200; waterworks and electric light, \$10,800; in connection with the West Shore Railway, \$15,000; fire appliances, \$1,500; and miscellaneous items, \$1,500; and whereas the debenture debt of said town, exclusive of local improvements, is \$144,353.26, which debt was largely incurred in the installation of waterworks and electric systems, schools, bridges and in the installation of Hydro-Electric power and light; and whereas no part of the principal or interest of said debt is in arrear; and whereas the fixed assets of said town are upwards of two hundred thousand dollars; and whereas the rateable property of the said town according to the last revised assessment roll is \$872,479; and the rate for municipal purposes for 1920 was 47 mills on the dollar; and whereas the payment of the said sum of \$38,000 forthwith in addition to meeting the necessary annual expenditures of the Corporation would be unduly burdensome and oppressive upon the ratepayers of the town; and whereas it is proposed to make a further expenditure of about \$3,000 in improvements on Huron Terrace Street between Harbor Street and the Grand Trunk Railway Station, which improvements are obligatory and necessary by reason of the condition of said street which will require walls for a considerable distance to hold the fill; and whereas the said corporation has by petition prayed that authority be given to borrow \$41,000, namely, \$38,000 to pay said floating municipal debt now due and owing, and \$3,000 to pay for said improvements on Huron Terrace Street; and whereas it is expedient to grant the prayer of said petition:

Therefore

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The floating debt of the Corporation of the Town of Kincardine is consolidated at the sum of \$38,000, and the said Corporation may borrow by a special issue of debentures a sum not exceeding \$38,000 for the purpose of paying said indebtedness.

Consolidation of floating debt:  
Power to borrow \$38,000 on debentures to pay off.

2. The said corporation may also borrow the sum of \$3,000 by a special issue of debentures to make improvements on Huron Terrace Street in said town.

Power to borrow \$3,000 on debentures to improve Huron Terrace street.

3. The said debentures shall be payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding seven per cent. per annum, and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as to the corporation may seem expedient.

Term of debentures.

4. The said debentures shall be issued payable in equal instalments annually of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as possible to what is payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Debentures how payable.

5. The said corporation shall levy in each year during the period within which said debt is payable in addition to all other rates a special rate sufficient to produce the annual instalments of principal and interest falling due upon the said debentures, which levy may be (if and when necessary) over and above the statutory limit of twenty-five mills on the dollar, exclusive of school and local improvements rates.

Special tax rate.

6. The debentures and all moneys arising therefrom under section 1 of this Act shall be applied in payment of said floating debt, and for no other purpose, and the debentures and all moneys arising therefrom under section 2 of this Act shall be applied to the purposes mentioned in that section and not for other purposes.

Application of proceeds of debentures

7. It shall not be necessary to obtain the assent of the electors or ratepayers of the Town of Kincardine to the passing of any by-law which shall be passed under the authority of this Act, or for the purpose of carrying out of the same, or

Assent of electors not required.

to observe the formalities in relation thereto ordinarily required by *The Municipal Act* or any amendments thereto.

Irregularity  
in form  
of de-  
bentures  
or by-laws  
not to  
invalidate.

**8.** No irregularity in the form of said debentures or any of them or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of said debentures or interest or any part thereof, and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing such by-law or of issuing debentures or as to the application of the proceeds thereof.

Disposal of  
debentures.

**9.** The said corporation may, for the purposes herein mentioned, raise the money hereby authorized by way of loan on the said debentures or sell and dispose of the said debentures from time to time as it may deem expedient.

Treasurer  
to keep  
proper  
account  
book.

**10.** It shall be the duty of the treasurer for the time being of said town to keep, and it shall be the duty of each of the members from time to time of the said municipal council to procure such treasurer to keep and see that he does keep a proper book of account setting forth a full and particular statement so that the same shall always show the number of debentures which shall from time to time be issued under the powers conferred by the preceding sections, and the respective amounts payment of which is thereby secured and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sale or disposal of the said debentures, and the application which shall from time to time be made of the said amounts, and the said book of account and statement shall at all reasonable hours be open to the inspection of any ratepayer of said town and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred.

## CHAPTER 107.

## An Act to legalize and confirm By-Law No. 29 of 1920 of the City of Kingston.

*Assented to April 8th, 1921.*

**W**HEREAS the Corporation of the City of Kingston Preamble  
has by its petition represented that the ratepayers of the City of Kingston have duly approved of said by-law by a vote of 528 in favour of the said by-law and 107 against it, and that the said corporation by the affirmative unanimous vote of twenty-one members of its council present out of a total membership of twenty-two, on the 26th day of April, 1920, finally passed the said by-law No. 29 of 1920, providing for the exemption from taxation of certain dwelling houses for a term of years; and whereas the said corporation has prayed that an Act may be passed confirming the said by-law; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** By-law No. 29 of 1920 of the Corporation of the City of Kingston, passed on the 26th day of April, A.D. 1920, to exempt from taxation certain dwelling houses for a term of years set forth in schedule "A" hereto, is hereby confirmed and declared valid and binding upon the Municipal Corporation of the City of Kingston and the ratepayers thereof.

By-law  
No. 29  
of 1920  
confirmed

## SCHEDULE "A."

BY-LAW No. 29, 1920.

A by-law to exempt from taxation certain dwelling houses for a term of years.

Passed April 26th, 1920.

The Municipal Council of the Corporation of the City of Kingston enacts as follows:—

1. All dwelling-houses used exclusively as such, erected in the City of Kingston during the years 1920 and 1921, on vacant land, shall for the period of five years, be exempted from all municipal taxation, except for local improvements and for school purposes, on the assessed value of each of such dwelling-houses up to the sum of \$2,500.

2. "Dwelling-houses" for the purposes of this by-law shall not include an apartment or tenement house, or a hotel, or a building erected or altered for the purpose of providing two or more separate suites or sets of rooms, for separate occupation by one or more persons.

This by-law shall come in force and take effect on its passing, subject to its being assented to by the electors.

HUGH C. NICKLE,

*Mayor.*

W. W. SANDS,

*Clerk.*

(Seal.)

## CHAPTER 108.

## An Act respecting the City of Kitchener.

*Assented to May 3rd, 1921.*

**W**HEREAS the Corporation of the City of Kitchener Preamble.  
 has, by its petition, represented that the Kitchener  
 and Waterloo Hospital Trust is a body, incorporated in July,  
 1893, under the provisions of *An Act respecting Benevolent,  
 Provident and other Societies* and as such acquired lands in  
 the City of Kitchener and erected thereon an hospital and  
 nurses' home, both of which it has equipped and operated  
 since its organization; that the Corporation of the Town of  
 Waterloo and the City of Kitchener have each from time  
 to time made grants to the said trust, in aid of its purpose;  
 that by reason of the growing demands upon the hospital  
 further improvements by way of elevators and enlarged  
 heating system are required; that the said trust is financially  
 unable to provide the funds to undertake the necessary im-  
 provements and have applied to the Municipal Council of  
 the City of Kitchener and the Town of Waterloo for aid to  
 the amount of \$47,350. of which \$9,500 has been assumed  
 by the Town of Waterloo and \$37,850 allotted to the City of  
 Kitchener; that the Council of the Town of Waterloo sub-  
 mitted to the electors a by-law to raise their proportion of  
 the said sum which by-law has been carried by the vote of  
 the electors and finally passed; and whereas it is expedient  
 to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and con-  
 sent of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:—

1. By-law No. 1606 of the Corporation of the City of By-law 1606.  
confirmed.  
 Kitchener, set out in Schedule "A" to this Act, is hereby  
 ratified and confirmed and declared to be legal, valid and  
 binding upon the said corporation and the ratepayers thereof.

2. No irregularity in the form of any debentures auth- Irregularity  
in form  
not to  
invalidate.  
 orized to be issued by this Act, or the by-law or by-laws  
 authorizing the issue thereof, shall render the same invalid  
 or illegal or be allowed as a defense to any action brought  
 against

against the corporation for the recovery of the amount of the said debentures, or interest thereon, or any or either of them, or any part thereof, and it shall not be necessary for the purchaser of any of the said debentures to inquire into the proceedings relating to the passing of the said by-law or the issue of such debentures, or as to the application of the proceeds thereof.

Rate of  
interest.

**3.** Notwithstanding anything in said by-law to the contrary, any debentures issued thereunder may be issued to bear interest at the rate of six per cent. per annum.

## SCHEDULE "A."

## BY-LAW NUMBER 1606 OF THE CITY OF KITCHENER.

A By-law for borrowing the sum of \$37,850 for the purpose of aiding the Kitchener-Waterloo Hospital.

Whereas application has been made by the Board of Trustees of the Kitchener-Waterloo Hospital to the Council of this municipality for aid by way of bonus in the sum of \$37,850, being the proportion allotted to this municipality of a total sum of \$47,350 required for the purpose of enlarging and improving the hospital building and the installation of an elevator and repairs to the building and equipment of the hospital;

And whereas it is advisable that the said aid be granted;

And whereas it is expedient for the purposes aforesaid to borrow the sum of \$37,850, and that is the amount of the debt intended to be created;

And whereas the amount required to be raised annually to repay the said grant, together with all other bonuses already granted by this municipality does not require an annual levy exceeding ten per cent. of the total amount required to be raised by taxation for the year next preceding the passing of this by-law;

And whereas it will be necessary to issue debentures of the corporation and to create a debt for the amount of \$37,850, such debentures to bear interest at the rate of six and one-half per cent. per annum and the proceeds thereof to be applied to the purposes aforesaid and no other;

And whereas it is desirable to issue the said debentures at one time and to make the principal of the said debt repayable by yearly sums during the period of twenty years, such yearly instalments being of such amounts that the aggregate amount payable for principal and interest in each year of the said term shall be equal as nearly as may be;

And whereas amount of the whole rateable property of the municipality, according to the last revised assessment roll, is \$17,876,260;

And whereas the amount of the debenture debt of the corporation is \$1,429,626.55, no part of the principal or interest of which is in arrear;

And whereas the amount required to be raised annually during twenty years, the currency of the debentures to be issued hereunder to pay the principal thereof, together with interest at six and one-half per cent. per annum is the sum of \$3,435.13;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Kitchener;

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$37,850, and debentures shall be issued therefor on the instalment plan in sums of not less than one hundred dollars each, which said debentures may or may not have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years, and shall be payable in twenty equal annual instalments during twenty years next after  
the

the date when they shall be issued and the respective amounts payable in each of such years shall be as set out in Schedule "A" attached to and forming part of this by-law.

3. The debentures, as to both principal and interest, may be expressed in Canadian currency or in sterling money of Great Britain at the rate of one pound sterling for each four dollars and eighty-six and two-thirds cents, and may be payable at any place or places in Canada or Great Britain.

4. The debentures shall be signed by the mayor and shall be sealed with the seal of the corporation, and the said debentures and interest coupons (if any) shall be signed by the treasurer. The signature of the treasurer to the said coupons may be written, stamped, lithographed or engraved.

5. During the currency of the said debentures or any of them there shall be raised annually by special rate sufficient therefor on all the rateable property in the said city the sum of \$3,435.13 for the purpose of paying the principal and interest of the said debt as and when it becomes due.

6. The debentures may contain any provision for the registration of them authorized by law.

7. This by-law shall take effect on the day of the passing thereof subject to its being assented to by the electors.

Passed this ..... day of January, A.D. 1921.

*Mayor.*

*Clerk.*

#### SCHEDULE "A" TO BY-LAW NUMBER 1606 OF THE CITY OF KITCHENER.

No. of payments.	Principal.	Interest.	Total.
1 .....	974 88	2,460 25	3,435 13
2 .....	1,038 25	2,396 88	3,435 13
3 .....	1,105 74	2,329 39	3,435 13
4 .....	1,177 61	2,257 52	3,435 13
5 .....	1,254 15	2,180 98	3,435 13
6 .....	1,335 68	2,099 45	3,435 13
7 .....	1,422 49	2,012 64	3,435 13
8 .....	1,514 95	1,920 18	3,435 13
9 .....	1,613 42	1,821 71	3,435 13
10 .....	1,718 29	1,716 84	3,435 13
11 .....	1,829 98	1,605 15	3,435 13
12 .....	1,948 93	1,486 20	3,435 13
13 .....	2,075 61	1,359 52	3,435 13
14 .....	2,210 53	1,224 60	3,435 13
15 .....	2,354 21	1,080 92	3,435 13
16 .....	2,507 23	927 90	3,435 13
17 .....	2,670 20	764 93	3,435 13
18 .....	2,843 76	591 37	3,435 13
19 .....	3,028 62	406 51	3,435 13
20 .....	3,225 47	209 66	3,435 13

I hereby certify that the attached is a true and correct copy of By-law Number 1606, of the City of Kitchener,

Dated this seventh day of February, A.D. 1921.

A. H. MILLAR.

*Clerk.*

(Seal.)

## CHAPTER 109.

## An Act respecting the City of London.

*Assented to May 3rd, 1921.*

**W**HEREAS the Corporation of the City of London has, Preamble.  
 by its petition, prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is desirable that by-laws numbers 6291 and 6295 of the Corporation of the City of London should be confirmed; and whereas the said corporation has asked for authority to issue debentures to the amount of \$705,500 to cover the cost of certain works and improvements of an urgent and necessary character; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 12 of *The City of London Act, 1909*, is amended by striking out the words “22nd day of December in each year unless that day should be a Sunday, and then on the following day,” and substituting therefor “Monday in the month of November which will be two weeks prior to the first Monday in the month of December in each year,” and by striking out at the end of the said section the words “day of January following unless that day should be a Sunday and then on the following day,” and substituting therefor the words “Monday in December in each year.” Dates for nomination and polling changed.

2. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$175,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding six per cent. per annum, as the council of the said corporation may determine, to pay for the construction of storm sewers in the City of London. Power to borrow \$175,000 for storm sewers.

Power to  
borrow  
\$135,000  
for Public  
Utilities  
Commission  
for exten-  
sions of  
waterworks  
system.

3. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$135,000 for the Public Utilities Commission of the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding six per cent. per annum as the council of the said corporation may determine, to pay for urgent and necessary extensions and additions to the distribution system of the waterworks plant of the City of London, and may pay the proceeds of such debentures to the Public Utilities Commission of the City of London for the purposes aforesaid.

Power to  
borrow  
\$125,000  
for exten-  
sion of  
electric  
light plant.

4. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$125,000 for the Public Utilities Commission of the City of London, and may issue debentures therefor for any period not exceeding thirty years from the date of issue thereof, and at such rate of interest not exceeding six per cent. per annum as the council of the said corporation may determine, to pay for certain urgent and necessary extensions and additions to the distribution system of the electric light plant of the City of London, and may pay the proceeds of such debentures to the Public Utilities Commission of the City of London for the purposes aforesaid.

Power to  
borrow  
\$257,500  
for plant  
and equip-  
ment  
required by  
London  
Railway  
Commission.

5. The Corporation of the City of London may pass a by-law to borrow, and may borrow, the sum of \$257,500, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding six per cent. per annum as the council of the said corporation may determine, to pay for an electric locomotive, steam shovels, rails, car barn, freight shed and passenger station extension, road crossings, platforms and shelters, overhead bridge at St. Thomas, coal ferry slip and scales and other works which are urgent and necessary and may pay the proceeds of such debentures to the London Railway Commission for the purposes aforesaid.

Power to  
borrow  
\$13,000  
for Memorial  
Hospital  
for  
children.

6. The Corporation of the City of London may pass a by-law to borrow, and may borrow the sum of \$13,000, and may issue debentures therefor for any period not exceeding thirty years from the date of the issue thereof, and at such rate of interest not exceeding six per cent. per annum, as the council of the said corporation may determine, to provide moneys for the purchase of a site for the Memorial Hospital for children, and may pay proceeds of such debentures to the Women's Christian Association of the City of London for the purposes aforesaid.

**7.** It shall not be necessary that any of the by-laws for the purposes mentioned in the next five preceding sections shall be submitted to, or receive the assent of, the electors of the said city, but all the other provisions of *The Municipal Act*, which are applicable and which are not inconsistent with the provisions of this Act, shall apply to the said by-laws.

Assent of  
electors  
not  
required.

**8.** No irregularity in the form of any of the debentures issued under the authority of this Act, or of any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action against the Corporation of the City of London for the recovery of the amount thereof, or interest thereon, or any part thereof.

Irregularity  
in form  
not to  
invalidate.

**9.** By-law No. 6295 of the Corporation of the City of London to provide for the issue of \$50,000 debentures to provide moneys to be paid to the Women's Christian Association towards the cost of erection of a building for a new Home for Incurables in the City of London, passed on the 7th day of February, A.D. 1921, after it had received the assent of a majority of the electors of the City of London, is confirmed and declared to be legal, valid and binding.

By-law  
No. 6295  
to borrow  
\$50,000 for  
Home for  
Incurables  
confirmed.

**10.** By-law No. 6291 of the Corporation of the City of London to provide for the issue of \$50,000 debentures to provide moneys for a grant to the Children's Hospital in the City of London, passed on the 17th day of January, A.D. 1921, after it had received the assent of the electors of the City of London, is confirmed and declared to be legal, valid and binding.

By-law  
No. 6291,  
to borrow  
\$50,000 for  
Children's  
Hospital  
confirmed.

**11.** In calculating the amount of the indebtedness of the said corporation for the purpose of ascertaining if the limit of its borrowing power, as fixed by *The City of London Act, 1906*, has been reached, any debentures issued under the authority of sections 3, 4 and 5 of this Act shall not be reckoned as part of such indebtedness, but shall be excluded in computing the same.

Limit of  
borrowing  
powers  
not  
affected by  
certain  
debts.

**12.** This Act may be known and cited as *The City of London Act, 1921*.

Short title.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 110.

## An Act respecting the Town of Midland

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS the Municipal Corporation of the Town of Midland, by petition, has prayed that an Act may be passed confirming By-law No. 1042 of the Town of Midland and an agreement made between the said Corporation of the Town of Midland and Albert Emerick Copeland, set out in the schedule to the said by-law, which said by-law and agreement are set out and shown in full in Schedule "A" to this Act; and whereas said by-law and agreement have been submitted to and approved of by the electors as required by *The Municipal Act*, 680 voting for and 185 voting against; and whereas the said Corporation of the Town of Midland has further petitioned that an Act may be passed confirming By-law No. 1054 of the Corporation of the Town of Midland and an agreement with Manley Chew and Mason & Company set out in full in the schedule to the said by-law, which said by-law and agreement are set out and shown in full in Schedule "B" to this Act; and whereas said by-law and agreement have been submitted to and approved of by the electors as required by *The Municipal Act*, 883 voting for and 36 voting against; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law  
No. 1042 and  
agreement  
with A. E.  
Copeland  
confirmed.

**1.** By-law No. 1042 of the Corporation of the Town of Midland, together with the agreement therein referred to (the said by-law and agreement being respectively set out in full in Schedule "A" to this Act) are hereby confirmed and declared legal, valid and binding upon the said parties thereto, and the Corporation of the Town of Midland is hereby authorized and empowered to do and perform all

acts

acts and things provided for by the said by-law and agreement to be done and performed by it, or necessary or proper for carrying out the full intent and meaning of the said by-law and agreement.

**2.** By-law No. 1054 of the Corporation of the Town of Midland, together with the agreement therein referred to (the said by-law and agreement being respectively set out in full in Schedule "B" to this Act) are hereby confirmed and declared legal, valid and binding upon the parties thereto, and the Corporation of the Town of Midland is hereby authorized and empowered to do and perform all acts and things provided for by the said by-law and agreement to be done and performed by it, or necessary or proper for carrying out the full intent and meaning of the said by-law and agreement.

By-law 1054  
and agree-  
ment with  
M. Chew  
et al.,  
confirmed.

**3.** The Corporation of the Town of Midland may by by-law to be passed by a three-fourths' vote of all the members of the Municipal Council of the said Town of Midland, and without the assent of the electors qualified to vote on money by-laws, authorize the execution of an agreement with the Grand Trunk Railway Company of Canada for establishing tourist traffic on the Georgian Bay through the said Town of Midland, for a period not to exceed five years, and may by such by-law authorize an expenditure in each of a period of not more than two years, of an amount not exceeding one mill in the dollar of the value of the rateable property of the Town of Midland according to the last revised assessment roll, for the purpose of erecting buildings, repairing, altering or erecting wharves, docks and other terminal facilities in the said Town of Midland on the property of the Corporation of the Town of Midland, the Crown, or the said the Grand Trunk Railway Company of Canada.

Agreement  
with G.T.R.  
for estab-  
lishment of  
tourist  
traffic, etc.

**4.** This Act shall come into force and take effect on the day on which it receives the Royal Assent.

When Act  
takes effect.

## SCHEDULE "A."

## TOWN OF MIDLAND.

## BY-LAW No. 1042.

A by-law to confirm an agreement with Albert Emerick Copeland to provide for the erection of a new flour and feed mill in the Town of Midland, and to grant certain exemption from taxation thereon.

Whereas the flour and feed mill heretofore carried on by Albert Emerick Copeland at the Town of Midland, in the County of Simcoe, has recently been destroyed by fire, and the said Albert Emerick Copeland contemplates the erection of a modern flour mill, having an initial capacity of 1,150 barrels per day, upon the water front in the said Town of Midland;

And whereas it is in the interest of the Town of Midland to encourage the continuation and extension of the said milling industry, and the corporation considers it desirable to encourage the erection and establishment of the said industry by the grant of a partial exemption from taxation upon the terms set out in the agreement shown in the schedule to this by-law;

And whereas the whole ratable property of the Town of Midland, according to the last revised assessment roll of the said town (being the assessment roll for the year 1919) is \$3,812,801;

And whereas the existing debenture debt of the said Town of Midland is the sum of \$494,056, of which no part either for principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Town of Midland enacts as follows:—

1. Upon the final passing of this by-law it shall be lawful for the Corporation of the Town of Midland to enter into the agreement with the said Albert Emerick Copeland set out in full in Schedule "A" to this by-law, and the mayor and clerk of the said corporation are hereby authorized to affix the Corporate Seal to the said agreement, and attach their signatures thereto.

2. Upon the final passage and confirmation of this by-law, as hereinafter provided for, the lands leased to the said Albert Emerick Copeland, as described in the said agreement, shall be subject to exemption and assessment as provided for by the said agreement for a period of twenty years from the 31st day of December, 1920.

3. This by-law shall not come into force or be of any effect whatsoever until the same shall have been approved of by the ratepayers of the Town of Midland, in accordance with *The Municipal Act*, and until the same shall have been confirmed and declared valid and binding upon the said municipality by an Act of the Legislature of the Province of Ontario, and the said by-law shall come into force and take effect from and after the day upon which any such Act is passed.

By-law read a first and second time at a meeting of the Municipal Council of the Town of Midland, held on the 6th day of July, A.D.

1920, at which eight members were present, and all of whom voted in favour of the said by-law.

(Sgd.) J. S. McDOWELL,  
*Mayor.*

(Sgd.) C. E. SMITH,  
*Clerk.*

11th Sept. 1920.

(Sgd.) J. S. McDOWELL,  
*Mayor.*

By-law read a third time.

Moved by C. S. Webb,  
Seconded by Jas. H. Steer.

That by-law now read a third time do pass, be engrossed by the clerk, signed and sealed by the mayor.

(Sgd.) J. S. McDOWELL,  
*Mayor.*

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SCHEDULE "A" TO BY-LAW No. 1042.

Memorandum of agreement made in duplicate this 6th day of July,  
A.D. 1920.

Between:—

Albert Emerick Copeland, of the Town of Midland, in the County of Simcoe, Miller, (hereinafter called the "Proprietor") of the first part,

and

The Corporation of the Town of Midland (hereinafter called the "Corporation") of the second part.

Whereas, the proprietor has been operating a flour mill in the Town of Midland, in the County of Simcoe, which has recently been destroyed by fire;

And whereas, the proprietor is now incorporating a company to be known as "Copeland Flour Mills, Limited," or such other name as may be granted to the proposed company, for the purpose of erecting a modern flour mill on or adjacent to the water front in the harbour in the Town of Midland, having an initial capacity of 1,150 barrels per day;

And whereas, in the construction of the said flour mill a large amount of money will be expended, and the operation thereof will continue and extend a valuable industry in the Town of Midland, and the corporation considers it desirable to encourage the erection and establishment of the said industry by the grant of a partial exemption from taxation on the terms and conditions hereinafter set out;

Now therefore this agreement witnesseth that in consideration of the premises and the mutual covenants, conditions and agreements hereinafter set out, the parties hereto do mutually covenant and agree together in the manner following, that is to say:—

1. The proprietor will cause to be constructed, erected and equipped a modern flour mill operated by electric power, and capable of turning out 1,150 barrels per day, upon the property to be leased from the Grand Trunk Railway Company of Canada, and more particularly described in Schedule "A" to this agreement.

2.

2. The said flour mill shall be of modern design and substantial character, and shall be constructed of solid brick or reinforced concrete, and the main building shall be at least sixty feet frontage by one hundred and sixty feet in depth and not less than one hundred feet in height, and containing all necessary plant, machinery, engines, buildings, electrical and power apparatus and flour mill machinery, with all necessary premises proper and necessary for conducting a modern flour and feed mill. The work in connection with the construction of the said flour and feed mill shall be commenced on the ground not later than thirty days after the final passing of the by-law authorizing this agreement, and the said flour mill shall be erected, fully equipped and completed and in operation on or before the 1st day of July, 1921. Upon the completion of the said flour and feed mill, as provided for by this agreement, the proprietor shall have expended, on the said building, plant, premises and equipment the sum of at least \$200,000.

3. The corporation shall have the right through the Municipal Council thereof, or any officer, servant or agent of the corporation to inspect the said flour and feed mill at any reasonable time during the course of construction, for the purpose of examining the same and verifying the amount expended in the construction of the said flour and feed mill and the nature and character of the work, plant, premises and machinery. Upon the final completion of the said flour and feed mill and the operation thereof, the corporation shall have a further right to inspect the same for the said purposes and to satisfy itself that the amount provided for by the previous paragraph has been expended thereon, and that the same has been erected in accordance with this agreement. In the event of any dispute as to the amount expended in the said flour and feed mill and the nature and character thereof, the corporation shall have the right to appoint a competent engineer to examine the same, and he shall have the right to go into the construction of the said buildings, plant, premises and machinery fully, and to inspect all the contracts, accounts, statements, pay-rolls and examine all vouchers for expenditure in connection with the construction and erection of the said flour and feed mill in order to ascertain whether the conditions of this agreement have been carried out and fulfilled, and whether the proprietor is entitled to the partial exemption herein provided for. If the report of the said engineer is not satisfactory to the municipal council of the corporation and to the proprietor, then in such event the parties hereto shall agree upon some competent engineer to make a final report, and if the parties are unable to agree thereon an application may be made by any party to the senior judge of the County of Simcoe to appoint such engineer, and the report of any engineer so agreed upon, or appointed by the said judge, shall be final, binding and conclusive on the said parties and shall determine the right of the proprietor to the partial exemption herein provided for.

4. The proprietor covenants, promises and agrees with the corporation that the said flour and feed mill shall be operated in the following manner, that is to say:—

(a) The said flour and feed mill will be operated to the fullest extent the state of the trade will permit, and the proprietor covenants, agrees and guarantees that in each year during the term hereby provided for the said flour and feed mill will manufacture and turn out at least 500,000 bags of 98 lbs. each of flour and feed of a merchantable quality, and that such quantity shall be a minimum quantity for each year during the term of twenty years hereby provided for.

(b) The proprietor covenants and agrees that all labour employed in and about the said flour and feed mill shall be paid at least semi-monthly in cash in the Town of Midland, and that all labour will be as far as possible resident in the Town of Midland.

(c)

(c) The proprietor covenants and agrees that he and the said flour and feed mill will not be connected with any business as merchants in the Town of Midland, in the County of Simcoe, and as far as possible he will deal with merchants in the said Town of Midland, except that of a retail flour and feed store.

(d) The proprietor covenants and agrees that in the operation of the said flour and feed mill he will employ an average of at least thirty men, and that such men will be employed for at least two hundred working days in each year during the term of twenty years hereby provided for.

(e) The proprietor covenants and agrees with the corporation that the partial exemption hereby provided for will apply to the wholesale flour and feed business of the proprietor, or company to be incorporated, only, and if the said proprietor, or the said company, or any one interested in it as shareholders, officers, directors, employees, servants or agents, is in any way connected with, or carries on any retail business in the Town of Midland, such retail business is to be liable to assessment and taxation in the same way as any other business in the Town of Midland.

5. The proprietor covenants and agrees with the corporation that the said flour and feed mill will be erected on the lands described in Schedule "A" to this agreement, and the corporation agrees that the buildings to be erected on the said lands shall be exempt from municipal taxation, except for school taxes and local improvement rates, for a period of twenty years, from the 31st of December, 1920. Such exemption shall cover all the plant and property of the proprietor, or the company to be incorporated, erected on the said lands, and he shall be at liberty to increase the said plant on the said lands as he may be able from time to time, and shall be at full liberty to develop the business on the said premises without further taxation during the said period, except as to school taxes and local improvement rates. In the event of the proprietor, or company to be formed, or any successor, securing additional adjoining lands, and the same being used for an extension of the said flour and feed mill, such additional buildings shall also be exempt to the extent of the buildings on one-half acre of additional adjoining land. The said exemption shall not, however, include any buildings used for residential purposes; or which may be used during the said term for any purpose other than that of a flour mill, feed mill, linseed mill or cereal mill.

6. The proprietor covenants and agrees with the corporation that in the operation of the said flour and feed mill electric power will be used whenever possible, and that such power will be purchased from the Water and Light Commission of the Town of Midland, and that a contract for that purpose will be entered into with the Water and Light Commission of the said Town of Midland, and during the term of twenty years provided for by this contract power will be purchased from the said Commission, if and so long as the said Commission are able to furnish such power.

7. In the event of the proprietor, or the company to be formed, not operating the said flour and feed mill in accordance with the provisions of this agreement, the corporation may give the said proprietor, or the company to be formed, or any company or party at any time operating such flour and feed mill, thirty days' notice in writing of any breach of this agreement complained of by the corporation, and such notice may be sufficiently given by mailing the same in a registered letter, postage prepaid and addressed to the proprietor, or any company or person operating the said flour and feed mill, or recently operating the same, at Midland post-office, and in the event of the neglect, default or omission complained of by the corporation not being remedied and the contract carried out within the said period of thirty days, the buildings, premises and

plant

plant of the proprietor, or such company or individual, shall be liable to assessment and taxation in the regular way as if this agreement had not been entered into.

8. This agreement is subject to the assent of the ratepayers of the Town of Midland being obtained thereto in the manner provided for by *The Municipal Act*, and also subject to the confirmation of the same by the Legislature of the Province of Ontario.

9. The corporation agrees forthwith to submit the necessary by-law for the approval of this agreement to the ratepayers of the Town of Midland, and upon the said by-law being approved of by the ratepayers of the said Town of Midland, in accordance with the provisions of *The Municipal Act*, the corporation will apply to the Legislature of the Province of Ontario at the ensuing session thereof, and use its best endeavours to procure a private act confirming this agreement and the said by-law, and such further or other provisions as may be necessary to properly carry out the intent of this agreement.

10. The proprietor covenants and agrees with the corporation that he will assist the corporation in procuring such legislation, and will pay to the corporation the expense incurred by the corporation in the preparation and application for the said Act of Parliament confirming this agreement, including all necessary costs, charges and disbursements in connection therewith.

11. This agreement shall be binding upon the parties hereto, their respective successors and assigns, and all the provisions herein contained on the part of the proprietor to be observed, carried out and performed, shall be observed, carried out and performed by the company to be formed by the proprietor, or by any successor or assign of such company.

In witness whereof the proprietor has hereunto set his hand and seal, and the corporate seal of the corporation has been hereunto affixed, and the mayor and clerk have hereunto set their hands.

Signed, sealed and delivered  
in the presence of

(Sgd.) W. FINLAYSON.

Seal of the Corporation of the  
Town of Midland.

(Sgd.) A. E. COPELAND,  
(Seal)

(Sgd.) J. S. McDOWELL,  
Mayor.

(Sgd.) C. E. SMITH,  
Clerk.

#### SCHEDULE "A" TO THE AGREEMENT BETWEEN THE TOWN OF MIDLAND AND A. E. COPELAND.

All that parcel or tract of land situate, lying and being in Lot Number One Hundred and Seven (107), Concession One (1), Township of Tay, and now in the Town of Midland, being more particularly described as follows:—

Commencing at a point one hundred and fifty (150) feet easterly from the easterly side of Midland Elevator No. 1, and twelve (12) feet southerly from the third siding south of the edge of Midland

Bay, thence easterly and parallel to and twelve (12) feet from the south rail of the third siding south of the edge of Midland Bay, a distance of five hundred (500) feet, thence southerly and at right angles to said siding, one hundred and twenty (120) feet, thence westerly and parallel to said siding five hundred (500) feet, thence northerly one hundred and twenty (120) feet to point of beginning, and containing in all one and thirty-eight hundredths acres (138/100) more or less.

## SCHEDULE "B."

### TOWN OF MIDLAND.

#### BY-LAW No. 1054.

A by-law to confirm an agreement with Manley Chew and Mason & Co. to provide for certain exemption from taxation of the lands of the said Manley Chew and Mason & Co.

Whereas the saw-mill premises heretofore operated by Manley Chew at the Town of Midland, in the County of Simcoe, has been sold by the said Manley Chew to George Mason and Leslie Mason, both of the City of Manchester, in the United Kingdom of Great Britain and Ireland, lumber merchants, and the said firm of Mason & Co. has applied to the Town of Midland for a partial exemption from taxation upon the terms set out in the agreement shown in the schedule to this by-law, and the corporation considers it desirable to encourage the continuation and extension of the said saw-mill industry by the grant of such exemption;

And whereas the said Manley Chew contemplates the erection of a fibre board factory in the Town of Midland, and the corporation considers it desirable to encourage the erection and establishment of the said industry by the grant of a partial exemption from taxation upon the terms set out in the agreement shown in the schedule to this by-law;

And whereas the whole rateable property of the Town of Midland, according to the last revised assessment roll of the said town (being the assessment roll for the year 1920), is \$4,212,861.00;

And whereas the existing and authorized debenture debt of the said Town of Midland is the sum of \$584,525.00, of which no part, either for principal or interest, is in arrears;

Therefore the Municipal Council of the Corporation of the Town of Midland enacts as follows:—

1. Upon the final passing of this by-law it shall be lawful for the Corporation of the Town of Midland to enter into the agreement with the said Manley Chew and Mason & Co., set out in full in schedule "A" to this By-law, and the Mayor and Clerk of the said corporation are hereby authorized to affix the corporate seal to the said agreement, and attach their signatures thereto.

2. Upon the final passage and confirmation of this by-law, as hereinafter provided for, the lands of the said firm of Mason & Co., as described in the said agreement, shall be subject to exemption and assessment as provided for by the said agreement.

3. Upon the final passage and confirmation of this by-law, as hereinafter provided for, the lands to be hereafter acquired by the said Manley Chew, for the said purpose of the erection and establishment of the said fibre board factory, as set out in the said agreement shall be subject to exemption and assessment as set out in the said agreement.

4. This by-law shall not come into force, or be of any effect whatsoever, until the same shall have been approved of by the ratepayers of the Town of Midland, in accordance with *The Municipal Act*, and the said by-law shall come into force and take effect from and after the final passage thereof.

By-law read a first and second time at a meeting of the Municipal Council of the Town of Midland, held on the 7th day of December, A.D. 1920, at which eight members were present and all of whom voted in favour of the said by-law.

(Signed) J. S. McDOWELL,  
*Mayor.*

(Signed) C. E. SMITH,  
*Clerk.*

By-law read a third time.

Moved by R. S. Wright, seconded by H. Trill,

That by-law now read a third time do pass, be engrossed by the Clerk, signed and sealed by the Mayor. Carried.  
January 24, 1921.

(Signed) W. T. DUDLEY,  
*Mayor.*

This Indenture made in triplicate the                      day of December, A.D. 1920.

Between:

The Corporation of the Town of Midland (hereinafter called the "Corporation") of the first part;

and

Manley Chew, of the Town of Midland, in the County of Simcoe, Lumberman, of the second part;

and

George Mason and Leslie Mason, both of the City of Manchester, in the United Kingdom of Great Britain and Ireland, Lumber Merchants, carrying on business under the name of "Mason & Co." of the third part.

Whereas, the party of the second part has been carrying on business as a lumberman at and from the Town of Midland, in the County of Simcoe, for many years, and has operated a sawmill in the said Town of Midland, and is the owner of considerable property forming the said sawmill and used in connection therewith, more particularly set out and shown in schedule "A" to this agreement, which said property formed part of the tract of land added to the Town of Midland under an order of the Ontario Railway and Municipal Board, dated the 16th of December, 1912;

And whereas, the said party of the second part has recently entered into a contract with the parties of the third part for the sale to them of the said lands upon certain terms and conditions, and the said party of the second part has reserved the right to the mill refuse from the said sawmill for a period of ten years;

And whereas, the said party of the second part has in contemplation the erection of a fibre board factory in the Town of Midland, and for that purpose would use the refuse from the said mill for the manufacture of fibre board;

And

And whereas, the parties of the second and third part have applied to the corporation of the Town of Midland for the grant to them of a fixed assessment for a period of ten years as hereinafter provided for;

And whereas, it is desirable to encourage the investment of capital in the lumbering industry in the Town of Midland and also to encourage the establishment of the said fibre board factory in the Town of Midland, and the corporation have agreed to grant the fixed assessment hereinafter provided for in the event of the by-law authorizing this agreement being approved of by the ratepayers of the Town of Midland in the manner provided for by the Municipal Act;

Now, therefore, this indenture witnesseth that, in consideration of the premises and of the mutual covenants and conditions hereinafter provided for, the parties hereto mutually covenant and agree together as follows:—

1. The parties of the third part covenant and agree with the corporation that they will immediately after the final execution of this agreement and the authorization thereof by a proper and sufficient by-law of the Town of Midland, as hereinafter provided for, proceed with repairs and extensions to the said sawmill and will expend thereon the sum of at least \$15,000.00, in improvements, alterations and extensions thereto, on or before the first day of May, 1

2. The parties of the third part covenant and agree with the corporation that the said plant will be operated to the fullest extent the state of the trade will permit, and will in each and every year of the term of ten years from and after the first day of January, 1921, employ at least two hundred men in and about the said plant for a season of at least six months' operation of the said mill in each year of the said term.

3. The said parties of the third part covenant and agree with the corporation that during the said term all labour employed in the said plant shall be, as far as possible, resident in the Town of Midland.

4. The said parties of the third part covenant and agree with the corporation that they will pay all labour employed by them in connection with the said plant at least monthly, in cash, in the Town of Midland, and that they will not engage in or be connected with any store or mercantile business in the Town of Midland.

5. The corporation covenant and agree with the said parties of the third part that the assessment and taxation on the said lands shall remain as fixed by the said order of the Ontario Railway and Municipal Board for the remainder of the term fixed by the said order, namely, for the year 1921 and the year 1922.

6. The corporation further agree with the said parties of the third part that for a period of eight years from and after the expiration of the said order, namely, from the years 1923 to 1930 (both inclusive), the said lands set out in a schedule hereto shall be assessed for general purposes at a fixed sum of \$25,000.00 for each year of the said term, but it is understood and agreed that the said fixed assessment shall not apply to school taxes or local improvements (if any), and for those purposes the said lands shall be assessed in the regular way.

7. The party of the second part shall have the right and privilege to erect a fibre board plant in the said Town of Midland, and if the said plant is erected, constructed, equipped and in operation in accordance with the provisions of the following three sections

of

of this agreement, the corporation agree to place a fixed assessment of \$25,000 on the said lands and premises for a period of ten years from and after the first day of January, 1921, but it is understood and agreed that the fixed assessment shall not apply to school taxes or local improvement rates (if any), and for these purposes the said lands shall be assessed in the regular way.

8. The said fibre board plant shall be constructed and erected on such property within the Town of Midland as the party of the second part may select, and the said party of the second part agrees to notify the corporation in writing on or before the first day of July, 1921, of the property upon which he intends to erect the said fibre board plant, and such notice shall contain a detailed and accurate description of such lands, which said lands shall not exceed fifteen acres in area.

9. The party of the second part shall commence work on the said lands in the construction of the said fibre board plant on or before the first day of August, 1921, and will spend in the construction, erection, equipment and development of the said fibre board plant the sum of at least \$200,000 on or before the first day of January, 1922, and shall complete the erection of the first unit of the said plant and shall have the same in operation on or before the first day of May, 1922, and by that date there shall have been spent in the construction, erection, equipment and development of the said plant the sum of at least \$250,000.

10. The said fibre board plant shall be of modern design and substantial character, and shall be constructed of solid brick or reinforced concrete, and the main building thereof shall be of at least the following dimensions, namely, 400 feet by 60 feet, and shall contain all necessary plant, machinery, engines, grinders, and equipment, with all premises proper and necessary for conducting a modern fibre board plant, and shall be completely finished and in successful operation on or before the first day of May, 1922.

11. The corporation shall have the right through the municipal council thereof, or any officer, servant or agent of the corporation to inspect the said fibre board plant at any reasonable time during the course of construction, for the purpose of examining the same and verifying the amount expended in the construction of the said fibre board plant and the nature and character of the work, plant, premises and machinery. Upon the final completion of the said fibre board plant and the operation thereof, the corporation shall have a further right to inspect the same for the said purposes and to satisfy itself that the amount provided for by the previous paragraphs has been expended thereon and that the same has been erected in accordance with this agreement. In the event of any dispute as to the amount expended in the said fibre board plant and the nature and character thereof the corporation shall have the right to appoint a competent engineer to examine the same, and he shall have the right to go into the construction of the said buildings, plant, premises and machinery fully, and to inspect all the contracts, accounts, statements, pay-rolls and examine all vouchers for expenditure in connection with the construction and erection of the said fibre board plant in order to ascertain whether the conditions of this agreement have been carried out and fulfilled, and whether the party of the second part is entitled to the partial exemption herein provided for. If the report of the said engineer is not satisfactory to the municipal council of the corporation and to the party of the second part, then in such event the parties hereto shall agree upon some competent engineer to make a final report, and if the parties are unable to agree thereon an application may be made by any party to the senior judge of the County of Simcoe to appoint such engineer, and the report of any engineer so agreed upon, or appointed by the said judge, shall be final, binding and conclusive

on the said parties and shall determine the right of the party of the second part to the partial exemption herein provided for.

12. The party of the second part covenants and agrees that the said fibre board plant shall be operated at least three hundred working days in each year during the term of ten years from and after the first day of May, 1922, and there shall be employed during each of the said days a minimum of one hundred men in the operation of the said fibre board plant.

13. The said party of the second part covenants and agrees that during the said term of ten years all labour employed in the said plant shall be as far as possible resident in the Town of Midland.

14. The said party of the second part further covenants and agrees with the corporation that he will pay all labour employed by him in connection with the said plant at least monthly in cash in the Town of Midland, and he will not engage in or be connected with any store or mercantile business in the Town of Midland.

15. It is understood and agreed between all the parties hereto that the fixed assessment hereinbefore provided for shall only apply to the wholesale business carried on by them as manufacturers and shall not apply to any retail business carried on by the parties of the second and third part, and if any such retail business is carried on by them, or either of them, it shall be liable to assessment and taxation in the same way as any other business in the Town of Midland.

16. In the event of the parties of the second and third part, or either of them, not operating the said saw-mill or the said fibre board plant in accordance with the provisions of this agreement, the corporation may give to the party of the second or third part, or either of them, or the successor or assigns of either of them, at any time operating either of the said plants, thirty days' notice in writing of any breach of this agreement complained of by the corporation, and such notice may be sufficiently given by mailing the same in a registered letter, postage prepaid and addressed to the party of the second or third part, or either of them, or to the successor or assign, or the successors or assigns of either of them, at Midland Post Office, and in the event of the neglect, default or omission complained of by the corporation not being remedied and the contract carried out within the said period of thirty days, the lands, premises and plant of the party so offending, or any successor or assign, shall be liable to assessment and taxation in the regular way as if this agreement had not been entered into.

17. This agreement shall be subject to the assent of the ratepayers of the Town of Midland being obtained thereto in the manner provided for by *The Municipal Act*, and if such assent is not given the said agreement shall be null and void.

18. The corporation agrees forthwith to submit the necessary by-law for the approval of this agreement to the ratepayers of the Town of Midland.

19. The parties of the second and third part covenant and agree with the corporation that they will pay to the corporation the expense incurred by the corporation in the necessary advertising of the by-law to be submitted to the ratepayers of the corporation of the Town of Midland for the purpose of confirming this agreement.

20. This agreement shall be binding upon the parties hereto, their respective successors and assigns, and all the provisions herein contained on the part of the parties of the second and third

part,

part, or either of them, to be observed, carried out and performed, shall be observed, carried out and performed by any successor or assign of the second or third part, or either of them.

In witness whereof the corporate seal of the corporation has been hereunto affixed and the mayor and clerk have hereunto set their hands and the parties of the second and third part have hereunto set their hands and seals.

Signed, sealed and delivered  
in the presence of

(Sgd.) W. FINLAYSON.

Seal of the Corporation of the  
Town of Midland.  
(Sgd.) W. T. DUDLEY, *Mayor*.  
(Sgd.) C. E. SMITH, *Clerk*.  
(Sgd.) MANLEY CHEW (Seal).  
MASON & COMPANY,  
By their Attorneys.  
(Sgd.) G. L. MAIN.

SCHEDULE "A" TO AGREEMENT BETWEEN THE TOWN OF MIDLAND  
AND MANLEY CHEW AND MASON & COMPANY.

1. That part of broken Lot Number Twenty-one (21) in the Third Concession of the Township of Tay (now in the Town of Midland) heretofore owned by the said Manley Chew and as described in registered instrument No. 5291, and a further parcel included as parcel No. 2 in a certain deed from the Ontario Lumber Company, Limited, to the late George Chew.

2. Part of Lot Number Twenty-two (22) in the Third Concession of the Township of Tay (now in the Town of Midland) described in a conveyance from the Western Bank of Canada to the said Manley Chew registered No. 5005, except a portion thereof conveyed by the said Manley Chew and now owned by the Midland Woodworkers, Limited.

3. All that water lot in front of part of Lot Number Twenty-one (21) in the Third Concession of the Township of Tay, as described in the patent thereof from the Crown.

4. Lots Numbers Two (2), Four (4), Six (6), and Seven (7) on the east side of Olive Street, and Lots Numbers Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Thirty-two (32), Thirty-four (34), Thirty-five (35), Thirty-six (36), Thirty-seven (37), Thirty-nine (39) and Forty (40) on the west side of Olive Street, as shown on registered Plan Number 465.

## CHAPTER 111.

## An Act respecting the Town of Mimico.

*Assented to April 8th, 1921.*

**W**HEREAS the Corporation of the Town of Mimico Preamble.  
 has by its petition represented that 6 George V, chapter 80, provides that any sewer forming part of the system of sewerage, other than the works and trunk sewers, mentioned in section 2 of the said Act, may be constructed as a local improvement, except that a sum of seventy-five cents per foot frontage shall be specially assessed upon the land abutting directly on the work and shall be the owners' portion of the cost, and the remainder of the cost of the work shall be the corporation's portion of the cost; that the said works and trunk sewers, and certain other sewers have been constructed under the said provisions of the said Act; that it is no longer just or equitable that the corporation should bear and pay all the cost of the said sewers in excess of the said seventy-five cents per foot frontage; that the council has by its petition prayed that in the case of all sewers hereafter undertaken, the council should be at liberty to apportion the cost of the same under the provisions of *The Local Improvement Act*; that the said corporation has by its said petition further represented that it is provided by section 10 of 7 George V, chapter 77, intituled *An Act to incorporate the Town of Mimico*, that the council of the said corporation may construct a waterworks system for the said corporation; that the said waterworks system, or any part thereof, may be constructed as a local improvement under the provisions of *The Local Improvement Act*, except that a sum of eighty cents per foot frontage shall be specially assessed upon the lands on each side of the street abutting directly upon the work, and shall be the owners' portion of the cost, and the remainder of the cost shall be the corporation's portion of the cost; that certain watermains have been constructed as a local improvement under the authority of the said Act; that at the time the said Act was passed the said sum of eighty cents per foot frontage was a just and equitable

Rev. Stat.,  
c. 193.Rev. Stat.,  
c. 193.

apportionment

apportionment of the cost of such watermains as between the owners and the corporation, but that it is no longer just or equitable that the corporation should bear and pay all the cost of the said watermains in excess of the said sum of eighty cents per foot frontage; that the council has by its petition prayed that it should not be required to specially assess upon the lands on each side of the street abutting directly on the work the said sum of eighty cents per foot frontage, but that the council may, by a vote of three-fourths of all the members of the council provide that a certain sum per foot frontage shall be specially assessed upon the said lands; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

6 Geo. V.  
c. 80,  
amended.

1. The Act passed in the sixth year of the reign of His Majesty King George V, chapter 80, intituled *An Act respecting the Village of Mimico and the Village of New Toronto*, is hereby amended as follows:—

(1) Subsection (1) of section 2 of the said Act is hereby amended by inserting the words “Stanley Avenue and Pigeon Avenue” immediately after the words “Superior Avenue,” where the same appear in the twelfth line thereof. This amendment shall take effect and be deemed to have been in force as and from the time of the passing of the said Act.

(2) Section 7 of the said Act is hereby amended by striking out the words “except that a sum of seventy-five cents per foot frontage shall be specially assessed upon the land abutting directly on the work, and shall be the owners’ portion of the cost, and the remainder of the cost of the work shall be the corporation’s portion of the cost,” where the same appear in the last five lines of the said section.

7 Geo. V.  
c. 77,  
amended.

2. The Act passed in the seventh year of the reign of His Majesty King George V, chapter 77, intituled *An Act to incorporate the Town of Mimico*, is hereby amended as follows:—

(1) Subsection (2) of section 10 of the said Act is hereby amended by striking out the words, “A sum of eighty cents,” where the same appear  
in

in the second line thereof, and by inserting therein in lieu thereof the words, "where the work is the laying or construction of a water-main, the council may, by a vote of three-fourths of all the members, provide that a certain sum."

**3.** This Act shall come into force on the day upon which <sup>When Act</sup> it receives the Royal Assent. <sub>takes effect.</sub>

## CHAPTER 112.

## An Act respecting the City of Niagara Falls.

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS the Corporation of the City of Niagara Falls has by its petition represented that sewers were constructed in the said municipality during the years 1904 to 1918 inclusive, and debentures were issued by the said corporation to defray the cost of the said sewers under by-laws passed for the purpose, such by-laws being passed in conformity with the report of the commissioners appointed under chapter 67 of the Statutes of Ontario, 1903, entitled *An Act providing for the incorporation of the City of Niagara Falls* and providing that a special rate for the corporation's portion of the cost of said sewers should be levied on all rateable property in that portion of the said city which comprised the Village of Niagara Falls prior to incorporation of the City of Niagara Falls, in the case of sewers constructed in the territory formerly comprising the said village and on all the rateable property in that portion of the said city which comprised the Town of Niagara Falls prior to incorporation of the City of Niagara Falls in the case of sewers constructed in the territory formerly comprising the Town of Niagara Falls; that at the time of such incorporation the said town had, but the said village had not a sewer system, that the expenditure for sewers has accordingly been greater in proportion to assessment in the said village than in the said town during said period of fifteen years; that the rate levied in the said village on this account exceeds that in the said town by 2.1 mills on the dollar; that the said report of the commissioners also provided that "the territory now comprising the said village shall become liable to pay to the city corporation for the benefit of that part of the city which now comprises the Town of Niagara Falls, the sum of \$15,000 as and for the excess in value of the assets transferred under this paragraph to the city corporation by the said town above the value of the assets so transferred by the Village of Niagara Falls to the said city corporation and the said sum of \$15,000 with interest thereon shall be paid to the treasurer of the  
city

city corporation in equal annual instalments of principal and interest extending over a period of thirty years from the first January, 1904, such interest to be computed at the rate of four per cent. per annum, and the whole amount to be so annually paid shall be levied by a special rate during each year of said period of thirty years upon the territory now comprised within the boundaries of said village"; that under the clause of the said report quoted the sum of \$867.45 has been levied annually since first January, 1904, upon said village territory in addition to the rate for the general purposes of the city; that the difference or inequality in the rates levied in the said village territory and said town territory on both of these accounts now amounts to 2.8 mills on the dollar; that in the opinion of the Council it is desirable to do away with such inequality and to have the same rate levied over the whole rateable property in the City of Niagara Falls in lieu of the different rates provided for by said report; and whereas the said corporation has by petition prayed that an Act may be passed for the above mentioned purpose; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Notwithstanding anything in the Report of the Commissioners appointed under chapter 67 of the Statutes of Ontario, 1903, entitled *An Act providing for the incorporation of the City of Niagara Falls* contained, the Corporation of the City of Niagara Falls shall pay for all sewers constructed in the territory comprised within the corporate limits of the said city during the years 1904 to 1918 inclusive, and any special rates imposed by by-laws passed by the said municipality for the purpose of defraying the corporation's portion of the cost of such sewers, shall from and after the first day of January, 1921, be levied upon the whole rateable property in the said municipality.

Equal rate to meet corporation's portion of cost instead of special rate under existing by-laws.

**2.** No special rate shall be levied after the first day of January, 1921, upon the territory formerly comprised within the boundaries of the Village of Niagara Falls to raise the said sum of \$867.45, required to be raised annually, to pay the said sum of \$15,000.

Abolition of special rate.

## CHAPTER 113.

## An Act respecting the Trafalgar Agricultural Society and the Corporation of The Town of Oakville.

*Assented to May 3rd, 1921.*

Preamble.

**W**HEREAS the Trafalgar Agricultural Society and the Corporation of the Town of Oakville have by their petition prayed that special legislation be enacted in regard to the matters set forth; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Agreement between society and corporation confirmed.

**1.** The agreement bearing date the 17th of January, 1921, made between the Trafalgar Agricultural Society, of the first part, and the Corporation of the Town of Oakville, of the second part, as set forth in Schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the Trafalgar Agricultural Society and the Corporation of the Town of Oakville and the ratepayers thereof.

Power of society to borrow \$20,000 on debentures or bonds.

**2.** The Trafalgar Agricultural Society may issue bonds or debentures to the amount of \$20,000, bearing interest at the rate of 6 per cent. per annum, payable in twenty equal annual instalments of principal and interest, and the Board of Directors of the society, without any meeting of the society to approve of same, may pass by-laws for such purpose and take all necessary proceedings in connection therewith.

Corporation to guarantee bonds or debentures for the society.

**3.** The Corporation of the Town of Oakville may guarantee the payment of the principal and interest on bonds or debentures of the Trafalgar Agricultural Society to the principal sum of \$20,000 issued under the provisions herein contained. The council of the said corporation for the purposes of this Act may, without obtaining the assent of the electors thereto, at any time pass by-laws providing for the guaranteeing of such bonds or debentures of the society.

4. Such guarantee may be placed on any part of such bonds or debentures and may be in the following words or to the like effect: "The Corporation of the Town of Oakville hereby guarantees the payment of the principal of this debenture and the interest thereon when and as the same become due according to the tenor thereof." Such guarantee shall be sealed with the seal of the corporation and signed by the mayor or reeve and treasurer and when so executed shall be binding upon the Corporation of the Town of Oakville and the ratepayers thereof.

Form of  
guarantee by  
corporation.

5. Any money borrowed by the corporation under the provisions of this Act shall not be counted in ascertaining whether the limit of its borrowing powers have been reached under any general or special Act.

Borrowing  
power of cor-  
poration not  
to be con-  
sidered.

6. In this Act,—

Interpreta-  
tion.

(a) "Corporation" shall mean the Municipal Corporation of the Town of Oakville;

(b) "Society" shall mean the Trafalgar Agricultural Society.

## SCHEDULE "A."

This agreement made in duplicate this 17th day of January, 1921,  
Between:

The Trafalgar Agricultural Society, hereinafter called the  
"Society" of the first part,

and

The Corporation of the Town of Oakville, hereinafter called the  
"Corporation" of the second part,

Whereas the Trafalgar Agricultural Society (incorporated under the Agricultural Societies Act for the purpose of promoting improvement in agriculture, horticulture, arboriculture, domestic industry, manufactures and the useful arts and other purposes as provided for in the said Act) is desirous of raising funds necessary for the further development of the objects for which it exists;

And whereas at the annual meeting of the said society, held on the 31st day of January, 1920, a resolution was unanimously passed by the members of the society authorizing an application on its behalf to the said corporation for the assistance of the corporation in obtaining legislative authority for an issue of bonds or debentures of the society to the amount of \$20,000, to be guaranteed by the corporation, the proceeds of which issue shall be applied for the purpose of consolidating the debt of the Trafalgar Agricultural Society and in the construction of buildings and other permanent improvements upon the premises of the society, which premises are known as the Fair Grounds, situated in the Town of Oakville, hereinafter particularly described;

And whereas the corporation has been requested by the society to guarantee the said bonds or debentures;

And whereas the corporation has enjoyed certain benefits, from the efforts and expenditures of the society, consisting of increased business and general advertisement therefrom, and certain park privileges;

Now, this agreement witnesseth that in consideration of the premises and other valuable considerations and the sum of one dollar paid by each of the parties hereto to the other, the parties hereto agree as follows:—

1. That the society shall apply to the Ontario Legislature at this session for power and authority to issue bonds or debentures to the amount of \$20,000, bearing interest at the rate of six per cent. per annum and payable in twenty equal annual instalments of principal and interest.

2. That the corporation shall, in the event of power and authority being granted to the society for the issuance of the said bonds or debentures, guarantee payment of all principal and interest secured by the said bonds or debentures, as and when the same become due and payable according to the tenor thereof.

3. That the proceeds from the sale of such bonds or debentures shall be applied: firstly, in payment off of the existing liabilities of the society, including the present mortgages on the property owned by the society, and secondly, in the construction of buildings upon the lands of the society, and the balance thereof applied in the erection of other works of a permanent nature required for the improvement of the premises of the society, but the purchasers of the bonds or debentures shall not be obliged to see to the application of the purchase money.

4. That the society shall, upon the bonds or debentures being guaranteed by the corporation, execute a mortgage in favor of, and in form satisfactory to the corporation, as security for the guarantee by the corporation of the said bonds or debentures of the society, and which mortgage shall be a first charge upon all of the lands and premises now owned by the society, and which are composed of about fifteen acres, more or less, of land situate, lying and being in the Town of Oakville, in the Township of Trafalgar, and County of Halton, and upon which lands there is now standing a number of buildings, including a large exhibit building, cattle and horse buildings, covered grand stand, band stand and other erections and improvements used in connection with the annual agricultural exhibits known as the Oakville Fair. The description of the above-mentioned land is as follows:—

All and singular those certain parcels or tracts of lands and premises, situate, lying and being in the Township of Trafalgar, in the County of Halton, in the Province of Ontario, being composed: Firstly, of part of Lot Number Sixteen in the third concession S.D.S. of said township, now in the Town of Oakville, and which may be more particularly described as follows, that is to say: Commencing at a point in the northern limit of Rebecca Street, distant two hundred and nine feet measured westerly along said northern limit of Rebecca Street from the western limit of Kerr Street; Thence south thirty-nine degrees and nineteen minutes west along the said northern limit of Rebecca Street, eight hundred and twenty-one feet; Thence north forty-three degrees and twenty-three minutes west, six hundred and eighty feet and six inches; Thence north thirty-nine degrees and nineteen minutes east and parallel with the aforesaid northern limit of Rebecca Street, three hundred and ninety feet and eight inches to a stake planted; Thence south eighty-nine degrees and eleven minutes east, four hundred and fifty-seven feet and five inches; Thence south eighty-one degrees and fifty-one minutes east seventy feet and six inches; Thence north thirty-nine degrees and nineteen minutes east two hundred and thirty-nine feet and three inches, more or less, to the western limit of Kerr Street; Thence south fifty degrees and fifty-five minutes east along the said western limit of Kerr Street fifty feet; Thence south thirty-nine degrees and nineteen minutes west two hundred and nine feet; Thence south fifty degrees and fifty-five minutes east two hundred and nine feet to the place of beginning.

The above described parcel of land containing by admeasurement ten and fifty-eight one hundredths acres, be the same more or less.

Secondly, part of Lot Number Sixteen in the third concession S.D.S. of the said township, now in the Town of Oakville, and which may be more particularly described as follows, that is to say:—Commencing at the intersection of the northern limit of Rebecca Street with the western limit of Kerr Street; Thence north fifty degrees and fifty-five minutes west and following along the aforesaid western limit of Kerr Street two hundred and nine feet to a point; Thence south thirty-nine degrees and nineteen minutes west and parallel with the aforesaid northern limit of Rebecca Street two hundred and nine feet to a point; Thence south fifty degrees and fifty-five minutes east two hundred and nine feet to a point in the aforesaid northern limit of Rebecca Street; Thence north thirty-nine degrees and nineteen minutes east and following along the aforesaid northern limit of Rebecca Street two hundred and nine feet to the place of beginning.

Thirdly, all and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Oakville, in the Township of Trafalgar in the County of Halton, and Province of Ontario, being composed of all of Lots Numbers 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, as shown on a plan of Glendoveer Park, which said plan is registered in the Registry Office for the County of Halton as Plan Number 161.

Fourthly,

Fourthly, all and singular that certain parcel or tract of land and premises situate, lying and being in the Town of Oakville, in the County of Halton and Province of Ontario, being composed of part of Lot Number Six as shown on the registered Plan of Glendoveer Park, being a subdivision of part of Lot Number Sixteen in the third concession south of Dundas Street, Township of Trafalgar, and which may be more particularly described as follows, that is to say: Commencing at a point in the north-western limit of said Lot Number Six distant four hundred feet measured on a course of south thirty-nine degrees and nineteen minutes west along the said limit of said Lot Number Six from the south-western limit of Kerr Street; Thence continuing along the said north-western boundary of said Lot Number Six one hundred and fifty-four feet and six inches to a point in the rear of said Lot Number Six; Thence south eighty-nine degrees and eleven minutes east along the rear of said Lot Number Six, sixty-three feet and ten inches to the south-eastern limit of said Lot Six; Thence north thirty-nine degrees and nineteen minutes east along the said limit of Lot Number Six, one hundred and sixteen feet and five inches to a point distant four hundred feet measured south-westerly along the said limit of said lot from the aforesaid limit of Kerr Street; Thence north fifty degrees and fifty-five minutes west and parallel with the aforesaid limit of Kerr Street fifty feet to the place of beginning.

5. That the society shall pay the principal and interest secured by the said bonds or debentures as and when the same become due and payable according to the tenor thereof, and upon such payment of said bonds or debentures by the society the corporation shall forthwith execute discharge of said mortgage in favor of the society or its nominee.

The corporation hereby agrees that the society shall have power and authority to enter into any and all such negotiations as are found necessary to obtain the issue of the bonds to be so guaranteed by the corporation.

This agreement shall be binding upon and enure to the benefit of the successors and assigns of the society and corporation hereto.

In witness whereof the society and corporation have hereunto affixed their corporate seals by the hands of their proper officers in that behalf.

MUNICIPAL CORPORATION OF THE TOWN OF OAKVILLE.

Witness:

(Sgd.) GEO. HILLMER,

*Acting Mayor.*

(Seal)

PERCY A. BATH, *Clerk,*

TRAFALGAR AGRICULTURAL SOCIETY.

(Sgd.) WALTER HARLAND SMITH,

*President.*

(Seal)

PERCY A. BATH, *Sec.-Treas.*

## CHAPTER 114.

## An Act to confirm By-law 744 of the Town of Orillia.

*Assented to May 3rd, 1921.*

**W**HEREAS the Municipal Corporation of the Town of Orillia has by petition represented that there is a certain floating debt and extraordinary expenditures incurred or to be incurred by the Orillia Water, Light & Power Commission, amounting to the sum of twenty-four thousand dollars (\$24,000), which said expenditures have been incurred since and including the year 1914, all of said moneys required having been expended except the expenses connected with the proposed debentures to be authorized by this Act, and the purchase of an auxiliary gasoline engine to complete the filtration plant of the said town; and whereas by-law No. 744 has been passed by the Council of the said Town of Orillia for borrowing the sum of twenty-four thousand dollars (\$24,000) to pay such expenditures and floating debt, and the particulars of the said expenditures are recited in the said by-law; and whereas the said corporation has by its petition represented that it is not expedient to pay the said expenditures and floating debt otherwise than by the issue of debentures therefor, and has by the said recited by-law provided for the issue of debentures payable over a period of twenty years, and has petitioned that an Act may be passed to confirm and legalize the said by-law and the debentures to be issued thereunder; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. By-law No. 744 of the Town of Orillia, providing for the borrowing of the sum of twenty-four thousand dollars (\$24,000) to pay certain extraordinary expenditures and floating debt of the Orillia Water, Light & Power Commission, as passed by the Municipal Council of the said Town of Orillia on the sixth day of December, A.D. 1920,

and

By-law  
No. 744  
confirmed.

and set out as schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the Municipal Corporation of the said Town of Orillia and the ratepayers thereof, notwithstanding any want of jurisdiction on the part of the municipality to pass the said by-law without the approval of the ratepayers of the said municipality, or for any other reason.

Confirmation of debentures.

**2.** The debentures issued or to be issued under or in pursuance of the provisions of the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said municipal corporation and the ratepayers thereof, notwithstanding any defect in substance or in form of the said by-law or debentures, or in the manner of passing or issuing the same, and the rates imposed by and to be levied under the said by-law for the payment of the debentures authorized thereby, and the interest thereon, are also confirmed and declared to be valid and binding upon the said corporation and the ratepayers thereof.

## SCHEDULE "A."

## BY-LAW NO. 744 OF THE TOWN OF ORILLIA.

For borrowing the sum of \$24,000 to pay certain extraordinary expenditures and floating debt of the Orillia Water, Light and Power Commission.

Whereas the Orillia Water, Light and Power Commission have represented to the Municipal Council of the Town of Orillia that they have had or are now incurring certain extraordinary expenditures, and have incurred certain floating debt, which cannot be permanently paid out of their current revenue, said expenditures being as follows:—

Excess of expenditure on filtration plant.....	\$3,088 08
Unexpected discount and expenses upon by-laws Nos. 577, 588, 702, 598 and the present by-law.....	11,267 86
Law costs .....	3,277 86
Capital expenses for renewals not revenue-producing....	2,166 20
Auxiliary gasoline engine to complete filtration plant....	4,200 00
	<hr/>
	\$24,000 00

and have requested that debentures be issued for the purpose of borrowing money to pay for such extraordinary expenditures and floating debt;

And whereas the said extraordinary expenditures were due chiefly to unforeseen contingencies arising out of war conditions, or to complete works duly authorized by vote of the ratepayers, the cost of which was increased because of war conditions, and it is desirable and in the interests of the corporation that the said expenditures and the said floating debt should be consolidated and debentures issued for the purpose of raising the money necessary to pay the same;

And whereas it is expedient to comply with the application of the said Commission and to borrow the money necessary for the purposes aforesaid;

And whereas the said sum of \$24,000 is necessary for the said purposes, and that is the amount of the debt intended to be created by this by-law;

And whereas it will be necessary to raise the several sums in each year respectively set forth in the schedule of this by-law, amounting to the sum of two thousand and ninety-two  $\frac{43}{100}$  dollars annually for twenty years to pay the principal sum of \$24,000 and interest thereon at the rate of six per cent. per annum;

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll of the said Town of Orillia, being that for the year 1920, is four million, three hundred and seventy-six thousand, three hundred and eighty dollars (\$4,376,380);

And whereas the amount of the existing debenture debt of the corporation is eight hundred and eleven thousand, three hundred and six dollars and fourteen cents (\$811,306.14) irrespective of the local improvement debt chargeable against properties specially assessed, which amounts to the sum of sixty-two thousand, seven hundred and forty dollars and eleven cents (\$62,740.11), and no part of the principal or interest of the said debenture debt is in arrear;

It

It is therefore enacted by the Municipal Council of the Corporation of the Town of Orillia, as follows:—

1. That for the purposes mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of twenty-four thousand dollars (\$24,000), and debentures shall be issued therefor on the instalment plan in sums of not less than one hundred dollars (\$100) each, which debentures shall have coupons attached thereto for the payment of the interest.

2. The said debentures shall all bear the same date, and shall be issued within two years after the date on which this by-law is passed, and may bear any date within such two years, and shall be payable in twenty annual instalments during the twenty years next after the date when they shall be issued, and the respective amounts payable in each of such years shall be as follows:—

	Years.	Principal.	Interest. Amount payable half-yearly.	Total
1	..... 1921	\$652 41	\$720 01	.....
			720 01	\$2,092 43
2	..... 1922	691 57	700 43	.....
			700 43	2,092 43
3	..... 1923	733 07	679 68	.....
			679 68	2,092 43
4	..... 1924	777 05	657 69	.....
			657 69	2,092 43
5	..... 1925	823 67	634 38	.....
			634 38	2,092 43
6	..... 1926	873 09	609 67	.....
			609 67	2,092 43
7	..... 1927	925 47	583 48	.....
			583 48	2,092 43
8	..... 1928	981 01	555 71	.....
			555 71	2,092 43
9	..... 1929	1,039 87	526 28	.....
			526 28	2,092 43
10	..... 1930	1,102 27	495 08	.....
			495 08	2,092 43
11	..... 1931	1,168 39	462 02	.....
			462 02	2,092 43
12	..... 1932	1,238 51	426 96	.....
			426 96	2,092 43
13	..... 1933	1,312 81	389 81	.....
			389 81	2,092 43
14	..... 1934	1,391 59	350 42	.....
			350 42	2,092 43
15	..... 1935	1,475 07	308 68	.....
			308 68	2,092 43
16	..... 1936	1,563 59	264 42	.....
			264 42	2,092 43
17	..... 1937	1,657 39	217 52	.....
			217 52	2,092 43
18	..... 1938	1,756 83	167 80	.....
			167 80	2,092 43
19	..... 1939	1,862 25	115 09	.....
			115 09	2,092 43
20	..... 1940	1,973 99	59 22	.....
			59 22	2,092 43
		\$24,000 00		

3. The said debentures as to principal shall be payable at the Royal Bank of Canada in the Town of Orillia, and as to interest shall be payable at the Royal Bank of Canada in the Town of Orillia or at the Royal Bank of Canada, Toronto.

4. The said debentures and the interest coupons shall be signed and issued by the Mayor, and shall be signed also by the Treasurer, and the debentures shall be sealed with the seal of the corporation.

5. During the currency of the said debentures there shall be raised and levied in each year by special rate on all the rateable property in the said municipality the sum of two thousand and ninety-two 43/100 dollars, being a sum sufficient to meet the amount of the instalment of principal and interest payable in that year, and as set forth in paragraph two of this by-law containing the schedule of payments.

6. The debentures may contain any provision for the registration of them authorized by law.

7. This by-law shall take effect on the day of the passing thereof.

Passed this 6th day of December, A.D. 1920.

(Seal).

(Sgd.) DUNCAN C. ANDERSON,  
*Mayor.*

(Sgd.) C. E. GRANT,  
*Clerk.*

## CHAPTER 115.

## An Act respecting the City of Ottawa.

*Assented to May 3rd, 1921.*

Preamble.

**W**HEREAS the Corporation of the City of Ottawa has presented a petition praying that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to  
borrow  
money for  
certain  
purposes  
without  
assent of  
electors  
upon  
20 year  
debentures

**1.** That the council of the said corporation may provide by-laws to be passed without obtaining the assent thereto of the electors of the said city, for borrowing upon debentures of the corporation bearing interest at such rate or rates as the council may determine, and payable within twenty years from their date of issue of sums of money not exceeding the following for the specified purposes:—

- (a) \$65,000 to provide for the construction, equipment and furnishing of a nurses' home in connection with the Isolation Hospital, and for the purchase and installation of laundry machinery;
- (b) \$20,000 to provide for the construction of a relief sewer from a point at or near Pinard Street, thence across the Rideau River to connect with the main sewer at or near Dufferin Road;
- (c) \$50,000 to provide for the purchase and installation of fire hydrants;
- (d) \$13,000 to cover the loss by discount on the sale of local improvement debentures issued under by-laws numbers 4877, 4878, and 4895;
- (e) \$40,000 to retire the mortgage to the North American Life Assurance Company upon a part of the Lansdowne Park property.

2. That the council of the said corporation may provide, by by-law to be passed without obtaining the assent thereto of the electors of the said city, for borrowing upon debentures of the corporation, bearing interest at such rate or rates as the council may determine, and payable within thirty years from their date of issue of sums of money not exceeding the following, for the specified purposes:—

Power to borrow money for certain purposes without assent of electors on 30 year debentures.

(a) \$100,000 to provide for water main extensions and new water services in connection with the water works system of the corporation;

(b) \$40,000 to provide for the cost of purchasing and installing water meters;

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of the immediately preceding section hereof, there shall be annually raised by the corporation during the currency of the said debentures, with the authority conferred upon the corporation in and by the Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the Construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and the cost of renewals in connection with the said waterworks and for the payment of the principal and interest of all debts heretofore authorized to be contracted for the purposes of the said waterworks, but if at any time the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon the assessable property of the said corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Debt and interest to be met out of water rates.

4.—(1) The council of the said corporation may provide by by-law for assessing, and may assess in the manner provided and with the authority conferred by *The Local Improvement Act*, one-half of the cost of constructing the new asphalt and wood-block pavement on Wellington Street, between the property of the Dominion Government and Poolev's Bridge and upon the said bridge, upon the lands abutting on the said work, exclusive of such lands as are exempt from taxation for local improvement purposes, and may in like manner, and with like authority, assess the

Power to pass by-law without assent of electors, providing for assessing one-half cost of constructing pavement on Wellington Street.

remaining one-half of the cost of the said work upon the corporation at large, notwithstanding that such work was constructed prior to the passing of a by-law authorizing the undertaking of the same, and notwithstanding any omissions or defects in the procedure taken in respect of such work.

Corpora-  
tion's share  
of cost.

(2) The council of the said corporation may borrow on the credit of the corporation at large such sum as may be necessary to defray the cost of the said work, including the corporation's portion of the cost, and may issue debentures for the sum so borrowed, in the manner provided, and with the authority conferred by *The Local Improvement Act*.

Payment  
out of  
general  
fund.

(3) Should the council avail itself of the authority conferred by subsection 1 of this section, it shall raise and pay annually, out of its general funds, all such sums as may remain to be raised in and after the year in which the first annual instalments of the cost of constructing such work shall become payable, to defray the ratepayers' share of the cost of the local improvement work constructed under the provisions of local improvement by-law number 3287.

## CHAPTER 116.

## An Act respecting the Town of Pembroke.

*Assented to April 8th, 1921.*

**W**HEREAS the Municipal Corporation of the Town of Preamble.  
Pembroke has by petition represented that owing to certain expenditures of the said corporation, authorized by *An Act respecting the Town of Pembroke*, being 3-4 George V, chapter 112, and the assessed value of certain lands in the said town being fixed for a term of years by said Act, which said term will not expire until the 1st day of January, 1926, and other proper expenditures of the said corporation, it will be necessary to assess and levy a greater sum than two and one-half cents in the dollar on the assessed value of all the ratable property in the said town in any one year; and whereas the said corporation has by petition further represented that it is in the interest of the said corporation that the said corporation provide that portion of township lot number seventeen (17) in the 1st concession of the Township of Pembroke, now within the limits of the Town of Pembroke, the property of the Maguire, Paterson & Palmer (Canada), Limited, with proper sewerage facilities, the cost of same to be borne by a special general rate on all the ratable property in the said town; and whereas the said corporation has by petition further represented that in order that the said Maguire, Paterson & Palmer (Canada), Limited, may carry out its works, it will be necessary for the said corporation to convey to the said Maguire, Paterson & Palmer (Canada), Limited, the following lands, the property of the said corporation, that is to say: Lots numbers ninety-nine (99) and one hundred (100) in the Miller section in the Town of Pembroke, and the water lots (of which the said corporation holds deeds) in front of said lots, and a small portion of land lying between said lots and said water lots, and the production of James Street, which said lands are contained in the conveyance of said water lots to the said corporation, the said lands being formerly used by the said corporation for its pumping station and other uses for the said corporation's

waterworks

waterworks system, which works have been abandoned and the same being no longer required for the purposes of the said corporation; and whereas the said corporation has by petition further represented that it is necessary for the said corporation, in order to obtain material for the construction, maintenance and repairing of their roads and pavements, to purchase a quarry and plant for the working of same; and whereas the said corporation has by its petition prayed that an Act be passed for such purposes, and it is expedient to grant the prayer of the petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to  
levy rate of  
3½ cents in  
the dollar.

**1.** The Council of the Corporation of the Town of Pembroke may assess and levy for a period not exceeding ten years more than two and one-half cents in the dollar on the assessed value of the whole ratable property within the municipality, but shall not assess and levy in any such year more than three and one-half cents in the dollar on the assessed value of such property according to the last revised assessment roll, exclusive of school and local improvement rates.

Construc-  
tion of  
certain  
sewers as  
a general  
charge.

**2.** The said corporation may from time to time pass a by-law or by-laws to construct the necessary sewers to properly carry away the sewage from that part of lot number seventeen in the 1st concession of the Township of Pembroke, now within the limits of the Town of Pembroke, owned and occupied by the Maguire, Paterson & Palmer (Canada), Limited, the cost of construction and maintenance of said sewers to be paid for by a special general rate on all the ratable property within the said corporation, and the said corporation may from time to time pass a by-law or by-laws to borrow money to an amount not exceeding \$10,000 without the assent of the electors as required by *The Municipal Act*, by the issue of debentures payable in not more than twenty years from the date of issue, for the purpose of paying the costs of construction of said sewers.

Rev. Stat.,  
c. 192.

Power to  
sell certain  
lands to  
McGuire,  
Paterson &  
Palmer Ltd.

**3.** The Corporation of the Town of Pembroke may pass a by-law, without obtaining the assent of the electors as required by *The Municipal Act*, for the purpose of disposing of all and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Pembroke, in the County of Renfrew and Province of Ontario, being composed of lots numbers ninety-nine (99)

and

and one hundred (100) in the Miller section in the Town of Pembroke, and the water lots in front of said lots, and a small portion of land lying between said lots and said water lots, and the production of James Street, which said lands are contained in the conveyance of said water lots to the said corporation, either by sale, lease or otherwise, to the Maguire, Paterson & Palmer (Canada), Limited, and for such consideration as the said council of said corporation may deem advisable.

4. The said corporation may pass a by-law without obtaining the assent of the electors as required by *The Municipal Act*, to purchase a quarry and the necessary plant for the operation of said quarry at a cost not exceeding \$25,000 for the purposes of the corporation, and may issue debentures for the payment thereof, such debentures to be payable in not more than thirty years.

Power to  
purchase  
quarry and  
issue  
debentures  
therefor.

## CHAPTER 117.

## An Act respecting the City of Peterborough.

*Assented to April 8th, 1921.*

Preamble.

**W**HEREAS the Corporation of the City of Peterborough has, by petition, represented that the electors of the City of Peterborough have voted in favor of By-laws numbers 2290 and 2302 for the issue of debentures to the extent of \$100,000 and \$130,000, respectively, for the completion of the construction of a high-level bridge over the Otonabee River at Hunter Street; that the said bridge is a permanent structure and has a lifetime of over forty years, and it is desirable that the said By-laws be varied and amended to provide for the debentures to be issued under said By-laws to be payable within forty years, instead of twenty years, as is now provided in said By-laws; that the City of Peterborough has entered into an agreement with Canadian Nashua Paper Company, Limited, dated the 17th day of November, 1920, to pay the said Company \$900 towards the repair of a building leased by the Company from the City, and it is desirable that the said Agreement be confirmed, and to allow the City of Peterborough to raise, without the assent of the electors, the said sum of \$900, either by the issue of debentures or by levying said amount on the ratable property of the City; that the Peterborough Utilities Commission has entered into an Agreement with the Council of the adjoining Township of North Monaghan set forth as Schedule "D" hereto for the construction of a water main and services for the supply of water from the city waterworks to certain residents of the said township and the Council of the township has, by By-law number 784, set forth in Schedule "E" hereto, provided for the construction of said main and services under the provisions of *The Local Improvement Act*, and it is expedient and desirable that the said Agreement and By-law should be ratified, confirmed and validated from the date thereof; that the City Council was, by By-law number 1906, passed on the 2nd day of August, 1915, authorized to borrow the sum of \$50,000 for the purpose of purchasing land for and constructing and

Rev. Stat.,  
c. 193.

equipping

equipping buildings thereon for the use of the Peterborough Utilities Commission, but owing to the rise in the cost of labour and material since the passing of the By-law and the increased requirements for the utilities operated by the Commission, the said Commission finds that the said sum is not sufficient, and that an additional sum of \$25,000 is required, and has requested the City Council to provide the same, and it is desirable that the said work should be proceeded with and that a By-law should be passed for that purpose without submitting same to the electors; that the said Peterborough Utilities Commission has represented to the Council that it is necessary in the interest of the health of users of water from the municipal waterworks that a filtration plant should be installed, and the land necessary therefor purchased, and has obtained an engineer's report and plans and specifications therefor, the estimated cost for same being \$350,000, and as waterworks debentures for \$230,000 will be payable in the year 1931, for which a sinking fund sufficient for the purpose will then be available, and in order in the meantime to avoid making the charge to water-users excessive, it is desirable that the Council should be authorized to provide that for the first ten years after the issue of debentures for said sum it shall not be necessary to provide a sinking fund, but that a sinking fund sufficient to pay the debentures at the maturity should be raised during the last twenty years of said term, and that the Council be allowed at the time of the issue of the debentures to fix the amount and rates of interest to be paid thereon, and to carry out said purposes that By-law number 2323 of the said Council, passed after being submitted to and approved by the votes of the electors, should be ratified and confirmed, which said By-law is set forth as Schedule "F" hereto; that the Peterborough Utilities Commission has also represented to the Council that, owing to the increased cost of labour and material, the present rate of five cents per foot frontage charged on land fronting on streets on which mains are laid is not sufficient to meet the interest and sinking fund on the outlay and the cost of maintenance, and that the said Commission should be permitted to charge ten cents per foot frontage, and has requested the Council to apply for an amendment to an Act passed in the seventh year of the reign of His late Majesty King Edward the Seventh, chaptered 82. for that purpose, and it is desirable that such request should be complied with; and whereas it is expedient to grant the prayer of the petition;

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Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to  
amend  
by-laws  
numbers  
2290 and  
2302.

1. By-laws numbers 2290 and 2302 passed on the 24th day of August, 1920, and on the 15th day of November, 1920, respectively, set out in Schedule "A" hereto, may be amended by providing that the debentures issued under the authority of said By-laws shall be payable within forty years, instead of twenty years, and that the amount of the sinking fund to be raised annually shall be varied to provide for the annual levy of the same for the period of forty years, and when so amended the said By-laws, in the form set out in Schedule "B" hereto, shall be legal, valid and binding on the said Corporation and the electors thereof.

Agreement  
between  
municipal  
corporation  
and Cana-  
dian Nashua  
Paper Co.,  
Limited,  
confirmed.

2. The Agreement entered into between the Corporation of the City of Peterborough and Canadian Nashua Paper Company, Limited, set out in Schedule "C" hereto, is hereby declared to be and to have always been, since the execution thereof, legal, valid and binding upon the parties thereto.

Agreement  
between  
Peter-  
borough  
Utilities  
Commission  
and Town-  
ship of  
North  
Monaghan  
confirmed.

3. The Agreement dated the 2nd day of November, 1920, made between the Peterborough Utilities Commission and the Municipal Corporation of the Township of North Monaghan, set out in Schedule "D" hereto, is hereby ratified and confirmed and declared to be and to have always been, from the date of the same, legal, valid and binding upon the said Corporation and the electors thereof.

By-law  
No. 784  
confirmed.

4. By-law number 784 of the Corporation of the said Township of North Monaghan, passed on the 2nd day of November, 1920, set out in Schedule "E" hereto, is confirmed and declared to be legal, valid and binding on the said Corporation and the electors thereof.

Power to  
borrow  
\$25,000  
on 20-year  
debentures,  
for con-  
struction  
and equip-  
ment of  
buildings  
for use of  
Commission.

5. The Municipal Council of the Corporation of the City of Peterborough may, without the assent of the electors, pass a By-law to borrow \$25,000 by the issue of debentures payable within a period not exceeding twenty years, being the additional amount required for the payment for land and the construction and equipment of buildings thereon for the use of the Peterborough Utilities Commission.

By-law  
No. 2323  
confirmed.

6. By-law number 2323 of the Corporation of the City of Peterborough passed on the eighth day of February, 1921, set out in Schedule "F" hereto, including section 9 thereof, is confirmed and declared to be legal, valid and binding on the said Corporation and the ratepayers thereof, and the Council of the said City is hereby authorized and empowered to pass a By-law or By-laws, without the assent of the electors, for the purposes or any of them set out in section 9 of said By-law number 2323; and no irregularity in the form of the said debentures or any of them, or of

any

Council  
authorized  
to pass  
by-laws  
pursuant to  
Sec. 9 of  
by-law  
No. 2323

any By-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said Corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to inquire as to the necessity of passing any such By-law or By-laws or issuing debentures, or as to the application of the proceeds thereof.

7.—(1) Section 7 of the Act passed in the seventh year of the reign of His late Majesty King Edward the Seventh, chaptered 82, is amended by striking out the words "subject to subsection 2 of this section the said Water Commissioners" in the first and second lines thereof, and substituting therefor the words "The Peterborough Utilities Commission," and by striking out the word "five" in the tenth line thereof and substituting therefor the word "ten," and by striking out the words "Water Commissioners" in the fourteenth line thereof and substituting therefor the words "Peterborough Utilities Commission," and by repealing subsection (2) thereof. Section 7.  
7 Edw. VII.  
c. 82.  
amended.

(2) Section 8 of the said Act is amended by striking out the words "Water Commissioners" in the first line thereof and substituting therefor the words "Peterborough Utilities Commission." Section 8  
amended.

(3) Section 9 of the said Act is amended by striking out the words "Water Commissioners" in the second line thereof and substituting therefor the words "Peterborough Utilities Commission." Section 9  
amended.

(4) Sections 7, 8 and 9 of the said Act are further amended by striking out the word "Commissioners" wherever the same occurs and substituting therefor the word "Commission." Sections 7,  
8 and 9  
further  
amended.

8.—(1) The trustees of The Peterborough Relief Association may pay to the Corporation of the City of Peterborough the money amounting to about \$9,000 now held by them in trust for the purpose of being expended in contingent relief for those of the civilian population in need owing to the late war, and upon their so doing, shall be relieved of all further responsibility therefor. Authority  
given Peter-  
borough  
Relief Asso-  
ciation to  
hand over  
funds to  
Corporation.

(2) The Corporation of the City of Peterborough may receive the said moneys from the said trustees and may apply it for relief purposes and the alleviation of distress in the City of Peterborough.

9. This Act may be cited as *The City of Peterborough Act, 1921.* Short title.

## SCHEDULE "A"

## BY-LAW NUMBER 2290.

A by-law for borrowing the sum of \$100,000.00 by the issue of debentures in order to complete the construction of a high-level bridge over the Otonabee River at Hunter Street.

*Passed the 24th day of August, 1920.*

Whereas a by-law was passed, with the assent of the electors on the 3rd day of July, 1917, authorizing the borrowing of \$260,000.00 for the construction of a high-level bridge over the Otonabee River at Hunter Street;

And whereas a further sum of \$50,000.00 has been granted by the Government of the Dominion of Canada towards the construction of the said bridge, and an additional sum of \$5,000.00 has been ordered to be paid by the Board of Railway Commissioners for Canada;

And whereas it will require the additional sum of \$100,000.00 to complete the construction of said bridge, said sum being required on account of the increase in the cost of material and labor, which said sum of \$100,000.00 is the amount of the debt intended to be created by this by-law;

And whereas in order to raise the said sum of \$100,000.00 it will be necessary to issue debentures of the Corporation of the City of Peterborough for the said amount;

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$13,600,015.00;

And whereas the amount of the debenture debt of the corporation, exclusive of local improvement debts payable by local special rates is \$2,152,062.92, no part of the principal or interest of which is in arrear;

And whereas it will require the sum of \$6,250.00 to be raised annually for a period of twenty years, the currency of the debentures under, and by virtue of this by-law to pay the interest of the debt intended to be created, and the sum of \$3,358.18 to be raised annually during the said period for providing a sinking fund for the payment of the same at the maturity thereof, such last-mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes due, making in all the sum of \$9,608.18 to be raised annually as aforesaid by special rate on the whole rateable property of the municipality;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Peterborough:—

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$100,000.00 and debentures shall be issued therefor on the sinking fund plan, in sums of not less than \$100.00 each which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall be payable within twenty years from the date when they shall be issued, and shall bear interest at the rate of  $6\frac{1}{4}$  per cent. per an-

num, payable half-yearly, namely on the 30th day of June and the 31st day of December in each year.

3. The debentures as to both principal and interest may be payable at the office of the secretary-treasurer of the Peterborough City Trust at the City of Peterborough or at any branch of the Bank of Montreal in Canada.

4. The debentures shall be sealed with the Corporate Seal of the City of Peterborough and signed by the mayor and treasurer and countersigned by the secretary-treasurer of the Peterborough City Trust. Said debentures to be issued by the mayor and the interest coupons to be signed by the treasurer.

5. During the currency of the debentures there shall be raised annually \$3,358.18 to form a sinking fund for the payment of the debt and \$6,250.00 for the payment of the interest thereon, making in all \$9,608.18 to be raised annually for the payment of the debt and interest.

6. The debentures may contain any provision for the registration of them authorized by law.

7. The proceeds of the said debentures when sold shall be applied for the purpose of completing the construction of the said bridge.

A. A. McINTYRE,  
*Mayor.*

S. R. ARMSTRONG,  
*Clerk.*

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BY-LAW NUMBER 2302.

A by-law for borrowing the sum of \$130,000.00 by the issue of debentures in order to complete the construction of a high-level bridge over the Otonabee River at Hunter Street.

*Passed the 15th day of November, 1920.*

Whereas a by-law was passed, with the assent of the electors, on the 3rd day of July, 1917, authorizing the borrowing of \$260,000.00 for the construction of a high-level bridge over the Otonabee River at Hunter Street;

And whereas a further sum of \$50,000.000 has been granted by the Government of the Dominion of Canada towards the construction of the said bridge, and an additional sum of \$5,000.00 has been ordered to be paid by the Board of Railway Commissioners for Canada;

And whereas a by-law was passed, with the assent of the electors, on the 24th day of August, 1920, authorizing a further sum of \$100,000.00 for the construction of said bridge;

And whereas it will require the additional sum of \$130,000.00 to complete the construction of said bridge, said sum being required on account of the increase in the cost of material and labor, which said sum of \$130,000.00 is the amount of the debt intended to be created by this by-law;

And whereas in order to raise the said sum of \$130,000.00 it will be necessary to issue debentures of the Corporation of the City of Peterborough for the said amount;

And

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$13,600,015.00:

And whereas the amount of the debenture debt of the corporation, exclusive of local improvement debts, payable by local special rates is \$2,152,062.92, no part of the principal or interest of which is in arrear;

And whereas it will require the sum of \$8,450.00 to be raised annually for a period of twenty years, the currency of the debentures under and by virtue of this by-law to pay the interest of the debt intended to be created, and the sum of \$4,365.63 to be raised annually during the said period for providing a sinking fund for the payment of the same at the maturity thereof, such last-mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes due, making in all the sum of \$12,815.63 to be raised annually as aforesaid by special rate on the whole rateable property of the municipality;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Peterborough:—

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$130,000.00 and debentures shall be issued therefor on the sinking fund plan, in sums of not less than \$100.00 each which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall be payable within twenty years from the date when they shall be issued, and shall bear interest at the rate of 6½ per cent. per annum, payable half-yearly on the 30th day of June and the 31st day of December in each year.

3. The debentures as to both principal and interest may be payable at the office of the secretary-treasurer of the Peterborough City Trust at the City of Peterborough or at any branch of the Bank of Montreal in Canada.

4. The debentures shall be sealed with the Corporate Seal of the City of Peterborough and signed by the mayor and treasurer and countersigned by the secretary-treasurer of the Peterborough City Trust. Said debentures to be issued by the mayor and the interest coupons to be signed by the treasurer.

5. During the currency of the debentures there shall be raised annually \$4,365.63 to form a sinking fund for the payment of the debt and \$8,450.00 for the payment of the interest thereon, making in all \$12,815.63 to be raised annually for the payment of the debt and interest.

6. The debentures may contain any provision for the registration of them authorized by law.

7. The proceeds of the said debentures when sold shall be applied for the purpose of completing the construction of the said bridge.

A. A. MCINTYRE,  
*Mayor.*

S. R. ARMSTRONG,  
*Clerk.*

## SCHEDULE "B"

## BY-LAW NUMBER 2290.

A by-law for borrowing the sum of \$100,000.00 by the issue of debentures in order to complete the construction of a high-level bridge over the Otonabee River at Hunter Street.

*Passed on the 24th day of August, 1920.*

Whereas a by-law was passed, with the assent of the electors, on the 3rd day of July, 1917, authorizing the borrowing of \$260,000.00 for the construction of a high-level bridge over the Otonabee River at Hunter Street;

And whereas a further sum of \$50,000.000 has been granted by the Government of the Dominion of Canada towards the construction of the said bridge, and an additional sum of \$5,000.00 has been ordered to be paid by the Board of Railway Commissioners for Canada;

And whereas it will require the additional sum of \$100,000.00 to complete the construction of said bridge, said sum being required on account of the increase in the cost of material and labor, which said sum of \$100,000.00 is the amount of the debt intended to be created by this by-law;

And whereas in order to raise the said sum of \$100,000.00 it will be necessary to issue debentures of the Corporation of the City of Peterborough for the said amount;

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$13,600,015.00;

And whereas the amount of the debenture debt of the corporation, exclusive of local improvement debts, payable by local special rates is \$2,152,062.92, no part of the principal or interest of which is in arrear;

And whereas it will require the sum of \$6,250 to be raised annually for a period of forty years, the currency of the debentures under and by virtue of this by-law to pay the interest of the debt intended to be created, and the sum of \$1,052.40 to be raised annually during the said period for providing a sinking fund for the payment of the same at the maturity thereof, such last-mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes due, making in all the sum of \$7,302.40 to be raised annually as aforesaid by special rate on the whole rateable property of the municipality;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Peterborough:

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$100,000, and debentures shall be issued therefor on the sinking fund plan, in sums of not less than \$100 each, which shall have coupons attached thereto for the payment of the interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall be payable within forty years from the date when they shall be issued, and shall bear interest at the rate of 6¼ per cent. per annum, payable half-

yearly,

yearly, namely, on the 30th day of June and the 31st day of December in each year.

3. The debentures as to both principal and interest may be payable at the office of the secretary-treasurer of the Peterborough City Trust at the City of Peterborough, or at any branch of the Bank of Montreal in Canada.

4. The debentures shall be sealed with the Corporate Seal of the City of Peterborough and signed by the mayor and treasurer and countersigned by the secretary-treasurer of the Peterborough City Trust. Said debentures to be issued by the mayor and the interest coupons to be signed by the treasurer.

5. During the currency of the debentures there shall be raised annually \$1,052.40 to form a sinking fund for the payment of the debt and \$6,250 for the payment of the interest thereon, making in all \$7,302.40 to be raised annually for the payment of the debt and interest.

6. The debentures may contain any provision for the registration of them authorized by law.

7. The proceeds of the said debentures when sold shall be applied for the purpose of completing the construction of the said bridge.

*Mayor.*

*Clerk.*

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BY-LAW No. 2302.

A by-law for borrowing the sum of \$130,000 by the issue of debentures in order to complete the construction of a high-level bridge over the Otonabee River at Hunter Street.

*Passed the 15th day of November, 1920.*

Whereas a by-law was passed, with the assent of the electors, on the 3rd day of July, 1917, authorizing the borrowing of \$260,000 for the construction of a high-level bridge over the Otonabee River at Hunter Street;

And whereas a further sum of \$50,000 has been granted by the Government of the Dominion of Canada towards the construction of the said bridge, and an additional sum of \$5,000 has been ordered to be paid by the Board of Railway Commissioners for Canada;

And whereas a by-law was passed, with the assent of the electors, on the 24th day of August, 1920, authorizing a further sum of \$100,000 for the construction of said bridge;

And whereas it will require the additional sum of \$130,000 to complete the construction of said bridge, said sum being required on account of the increase in the cost of material and labor, which said sum of \$130,000 is the amount of the debt intended to be created by this by-law;

And whereas in order to raise the said sum of \$130,000 it will be necessary to issue debentures of the Corporation of the City of Peterborough for the said amount;

And

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is \$13,600,015;

And whereas the amount of the debenture debt of the corporation, exclusive of local improvement debts, payable by local special rates, is \$2,152,062.92, no part of the principal or interest of which is in arrear;

And whereas it will require the sum of \$8,450 to be raised annually for a period of forty years, the currency of the debentures under and by virtue of this by-law to pay the interest of the debt intended to be created, and the sum of \$1,368.05 to be raised annually during the said period for providing a sinking fund for the payment of the same at the maturity thereof, such last-mentioned sum being sufficient with the estimated interest on the investment thereof to discharge the said debt when the same becomes due, making in all the sum of \$9,818.05 to be raised annually as aforesaid by special rate on the whole rateable property of the municipality;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Peterborough:—

1. For the purpose mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$130,000 and debentures shall be issued therefor on the sinking fund plan, in sums of not less than \$100 each, which shall have coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed, and may bear any date within such two years and shall be payable within forty years from the date when they shall be issued, and shall bear interest at the rate of  $6\frac{1}{2}$  per cent. per annum, payable half-yearly on the 30th day of June and the 31st day of December in each year.

3. The debentures as to both principal and interest may be payable at the office of the secretary-treasurer of the Peterborough City Trust at the City of Peterborough or at any branch of the Bank of Montreal in Canada.

4. The debentures shall be sealed with the Corporate Seal of the City of Peterborough and signed by the mayor and treasurer and countersigned by the secretary-treasurer of the Peterborough City Trust. Said debentures to be issued by the mayor and the interest coupons to be signed by the treasurer.

5. During the currency of the debentures there shall be raised annually \$1,368.05 to form a sinking fund for the payment of the debt and \$8,450 for the payment of the interest thereon, making in all \$9,818.05 to be raised annually for the payment of the debt and interest.

6. The debentures may contain any provision for the registration of them authorized by law.

7. The proceeds of the said debentures when sold shall be applied for the purpose of completing the construction of the said bridge.

*Mayor.*

*Clerk.*

## SCHEDULE "C"

This indenture, made in duplicate, the 17th day of November, 1920:

Between:

The Corporation of the City of Peterborough hereinafter called the "City," of the one part,

and

The Canadian Nashua Paper Company, Limited, hereinafter called the "Company," of the other part.

Whereas by an indenture of lease entered into between the parties hereto the Company agreed to lease certain lands and premises from the City and the City covenanted with the Company that the said lands and premises and appurtenances thereto were in good and substantial repair and that the city would repair any damage arising from the lack of such repair upon receiving reasonable notice so to do;

And whereas the Company has notified the City that the roof of the building on the said premises is in a bad state of repair and requires the same to be remedied in accordance with the above covenant;

Now therefore this indenture witnesseth: that in consideration of the premises and the terms and provisions hereinafter set forth it is agreed as follows:—

1. The City agrees to pay to the Company the sum of nine hundred dollars (\$900) towards repairs to the roof of the building leased by the company.

2. The Company agrees to repair the said roof and to release the City from any further liability under its covenant to repair contained in said Indenture of Lease above referred to.

3. The Company further agrees to pay to the City interest on the said sum of nine hundred dollars (\$900) at the rate of seven (7) per cent. per annum during the balance of the term of said lease.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals and the hands of their proper officers in that behalf.

City.

Company.

*Mayor.*

W. L. CARTER, *President.*

*Clerk.*

H. F. KEHEW, *Secretary.*

(Seal.)

## SCHEDULE "D"

Terms of agreement made the second day of November, 1920,

Between

The Peterborough Utilities Commission, hereinafter called the "Commission," of the first part,

and

The Municipal Corporation of the Township of North Monaghan, hereinafter called the "Township," of the second part.

Whereas the township is desirous of procuring a supply of water for domestic purposes to be furnished for the benefit of persons resident upon the portion of Brown Street, in said township, hereinafter set forth and has requested the Commission to construct the water main and services hereinafter provided for and to furnish water thereto, and the Commission has agreed to comply with such request on terms hereinafter set forth;

Therefore the parties hereto agree each with the other as follows:

1. The Commission will lay down, furnish and install on that portion of Brown Street in said township extending westerly from the Monaghan Road a distance of eight hundred feet, a six-inch water main and connect therewith service pipes therefrom to the street line in front of the residences at present facing on said portion of Brown Street, and will connect said water main with the existing water mains controlled by said Commission.

2. The Commission will supply all necessary labor and material and will construct such work in a suitable and proper manner, under the supervision of the superintendent of the Commission.

3. The township in consideration of such construction will pay the Commission the amount of the actual cost of the labor and material required for said work, with the addition of ten per cent. thereon within thirty days after said work is completed and a statement of the expense is furnished by the Commission but no charge shall be made for the services of said superintendent.

4. The said work shall be proceeded with forthwith with a view of completing the same during the present year if reasonably possible, but the Commission shall not be responsible for any delay that may occur in connection with the carrying on the work or any part thereof.

5. Upon the completion of the said work and for a period of fifteen years thereafter the Commission will supply through said water main to the township, water for the domestic purposes of persons resident on said portion of Brown Street, at the rate now or hereafter charged by the Commission for water supplied for manufacturing purposes without deduction or abatement for prompt payment, (the present rate being  $8\frac{1}{3}$  cents per one hundred cubic feet), but it is understood and agreed that the rate for manufacturing purposes may be increased.

6. The quantity of water so supplied shall be determined by the readings of a meter to be placed and maintained by the Commission at the point of connection with said proposed water main, and the township shall pay in addition to said water rate a rental at the rate of \$60 per annum for the use of such meter, and the register of the meter shall be *prima facie* evidence of the quantities of water supplied through such meter.

7. The rental and water rates above provided for shall be paid by the township to the Commission at such periods as required by the Commission, on the township clerk being furnished by mail

or delivery with a statement of the amount owing and failure by the township to pay or cause to be paid any such amount for thirty days shall entitle the Commission (in addition to any other remedies) to discontinue the service until full payment is made.

8. The cost of connections of water service from the street line to the respective residences shall be borne by the owners and may be made by the Commission if called upon by the owners, and the cost thereof paid by such owners and no such connections shall be made except by or under the direction and with the approval of the superintendent.

9. In the event of the said water main and connections requiring repair or alteration during said period of fifteen years (through no fault of the Commission in the construction thereof or in the material supplied) the Commission will promptly proceed to make such repairs or alterations and the township will, if required by the Commission, pay therefor within thirty days after a statement of the expense is furnished it, but this provision shall not apply to connections between any residence and the street line.

10. Should it become necessary at any time or from time to time by reason of any breakdown in any part of the water system controlled by the Commission (including the water system herein provided) or by reason of any defect therein or for the purpose of repairing or altering any part of said water system or said meter or for any other purpose to cut off or discontinue the said supply, the Commission shall be entitled to do so and shall not be in any way responsible in damages or otherwise to the township or any inhabitants thereof.

11. The Commission does not undertake that the water supplied under this agreement shall be free from contamination or harmful substances, or that the same shall be delivered into the water main under any pressure beyond that which is maintained from time to time within the water mains within said city.

12. Water furnished under this agreement shall not be supplied or used for any purposes save as above provided.

13. The Commission shall not be responsible for any loss or damages sustained by or occasioned to any person or corporation arising out of the construction of the said works or by reason of its non-repair.

14. The Commission shall not be liable for any injury or damage that may at any time be done or occasioned to the township or to any property situate within the township or to any person whosoever by reason of the said supply or non-supply of water or by reason of any defect, break, or stoppage in the water works system controlled by the Commission or in the main through which said supply of water is delivered or by reason of any defect, break or stoppage in any of the machinery, plant, mains or parts of the said water works system.

In witness whereof the said Commission hath hereto affixed its seal and the signature of its chairman and secretary, and the said township hath hereto affixed its seal and the signature of the reeve and clerk thereof.

Signed, sealed and delivered  
in the presence of

*Chairman.*

*Secretary.*

JOHN MCINTOSH,

*Reeve.*

BRUCE JOHNSTON,

*Clerk.*

(Corp. Seal of Tp.)

SCHEDULE

## SCHEDULE "E"

## BY-LAW No. 784.

A by-law to provide for the construction of a water main and connections on a portion of Brown Street, in the Township of North Monaghan, in the County of Peterborough, as a local improvement, under the provisions of *The Local Improvement Act*.

Whereas Thomas Glover and W. D. Warren and others have petitioned the council to construct, as a local improvement, the work hereinafter described, and the clerk has certified that the petition is sufficient, and it is expedient to grant the prayer thereof in manner hereinafter provided;

Therefore the Municipal Council of the Corporation of the Township of North Monaghan enacts as follows:

1. That a water main and connections therefrom to the street line on that portion of Brown Street, in the said township, extending from the Monaghan Road to a distance westerly of eight hundred feet, be constructed as a local improvement, under the provisions of *The Local Improvement Act*.

2. The work shall be carried on and executed by the Peterborough Utilities Commission, in accordance with the terms of an agreement, bearing even date herewith, made and entered into between the said Commission and the council of this township, and under the superintendence and according to the terms and orders of the superintendent of said Commission.

3. The reeve and clerk are authorized to execute all contracts which may be required in connection with the construction of the said work.

4. Upon the completion of the work a special assessment roll for the cost of the work shall be prepared by the clerk with the assistance of such superintendent, and also a statement showing, under appropriate heads, the actual cost of the work, and when completed, the treasurer of the township shall verify the same by his certificate, and the statement shall be delivered to the chairman of the Court of Revision.

5. Upon the special assessment roll being completed, the clerk shall notify the chairman of the Court of Revision, who shall without delay call a sitting of the court for the hearing of complaints against the proposed special assessment, and shall notify the clerk of the time and place at which such sittings shall be held.

6. The treasurer of the township may, subject to the approval of the Council, agree with any bank or person for temporary advances of money to meet the costs of the work, pending the completion of it.

7. The special assessment shall be paid by fifteen annual instalments.

8. The debentures to be issued for the loan to be effected to pay for the cost of the work when completed shall bear interest at  $6\frac{1}{2}$  per cent. per annum, and be made payable within fifteen years on the instalment plan.

9. Any person whose lot is specially assessed may commute for a payment in cash on said rates imposed thereon by paying a portion of the cost of construction assessed upon such lot without interest,

forthwith

forthwith after the special assessment has been certified by the clerk, and at any time thereafter by the payment of such sum as when invested at four per cent. per annum will provide an annuity sufficient to pay the said rates for the unexpired portion of the terms as they fall due.

Passed in open council this 2nd day of November, 1920.

(Signed) JOHN MCINTOSH,  
*Reeve.*

(Seal.)

(Signed) BRUCE JOHNSTON,  
*Clerk.*

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## SCHEDULE "F"

### BY-LAW No. 2323.

A by-law to authorize borrowing \$350,000 for the purpose of paying for the land for and the construction thereon of a filtration plant for the water works system and the buildings and appliances necessary therefor.

*Passed the eighth day of February, 1921.*

Whereas the Peterborough Utilities Commission has represented to the council that it is necessary in the interest of the health of the water users in the city that a filtration plant and the necessary buildings and appliances therefor should be constructed and land suitable for such purpose obtained, and has requested the council to submit a by-law to the votes of the duly qualified ratepayers for the purpose of authorizing the raising the money necessary for such purposes;

And whereas it has been estimated by the engineer of the said Peterborough Utilities Commission that the amount required is the sum of \$350,000, which is the amount of the debt intended to be created by this by-law;

And whereas in order to raise said sum it will be necessary to issue debentures of the corporation for said amount, and as the proposed expenditure of the money for which this by-law is intended to provide may extend over a number of years, and in the opinion of the council it is undesirable to have large portions of the money on hand, unused and uninvested, it is advisable to provide that the debentures to be issued hereunder may be issued in sets of such amounts and at such times as the circumstances require;

And whereas the amount of the whole rateable property of the municipality according to the last revised assessment roll is the sum of \$15,330,375;

And whereas the amount of the debenture debt of the corporation exclusive of local improvement debts payable by local special rates is the sum of \$2,673,244.10, and no part of the principal or interest is in arrear;

And whereas the plans, specifications and an engineer's report of the works to be undertaken have been submitted to and approved of by the Provincial Board of Health;

Be it therefore enacted by the Municipal Council of the Corporation of the City of Peterborough:—

1. For the purposes mentioned in the preamble there shall be borrowed on the credit of the corporation the sum of \$350,000 and debentures issued therefor on the sinking fund plan to be called water works debentures, in sums of not less than \$100 each, which shall have coupons attached thereto for the payment of the interest.

2. The debentures to be issued hereunder may be issued in sets of such amounts and at such times as the circumstances require, but so that the first of the sets shall be issued within two years and all of them within five years from the date of the passing of this by-law, and if said debentures are issued in sets, each debenture of the same set shall bear the same date.

3. The said debentures shall be made payable within thirty years from the date of issue thereof and bear interest in the meantime at the rate of six and one-half per cent. per annum, payable half-yearly on the 30th day of June and the 31st day of December in each year, and may be expressed in Canadian currency, both as to principal and interest, and made payable at the office of the secretary-treasurer of the Peterborough City Trust at the City of Peterborough, or at any branch of the Bank of Montreal in Canada.

4. The said debentures shall be sealed with the Corporate Seal of the City of Peterborough and signed by the mayor and treasurer and countersigned by the secretary-treasurer of the Peterborough City Trust, and the coupons attached shall be signed by the treasurer.

5. The municipal water works and the revenues thereof shall be specially charged with the payment of the principal and interest of the debentures issued hereunder, and the said payment shall also be a charge and liability upon the whole rateable property of the municipality.

6.—(1) Subject to the provisions of sub-section (2) of this section there shall be raised and levied during each year of the currency of the debentures issued hereunder or any set of them by a special rate upon all the rateable property of the municipality the sum of \$22,750, or such part thereof as may be necessary for the payment of the interest on said debentures, or of the sets thereof that may have been issued, and the sum of \$6,241, as a sinking fund for the payment of same at the maturity thereof, making together the sum of \$28,991, or such part thereof as may be necessary to be raised annually as aforesaid.

(2) Provided, however, that the revenues arising from said water works, after the expenses of operation and maintenance thereof and the interest and sinking funds payable in respect to water works debentures heretofore issued have been paid or provided for shall be applied in or towards the payment of the interest and sinking fund of the debentures issued hereunder, and it shall only be necessary to raise in each year of the currency of the debentures issued hereunder or any set of them by special rate upon the rateable property of the municipality such sums (if any) as will with the moneys arising from the revenues of the water works and available therefor be sufficient to make up the said annual sum required for payment of the interest and sinking funds of the debentures issued hereunder or any set of them.

7. The debentures may contain any provision for registration authorized by law.

8. The said debentures when issued shall be handed over to the Peterborough Utilities Commission or disposed of by the council, and the proceeds thereof when sold used for the purposes in the preamble hereof set out.

9. Provided this by-law, including this section thereof, is ratified and declared legal and valid by an Act of the Legislative Assembly of the Province of Ontario, instead of making the debentures to be issued hereunder payable within the time and in the manner hereinbefore provided and making the annual payments of interest and for the sinking fund the amounts hereinbefore set out, the council may by by-law or by-laws passed without the assent of the ratepayers make any of the changes following, namely:—

(a) Provided that during the first ten years from the issue of the first set of said debentures it shall not be necessary to collect or use any of the revenues of the said water works or levy or collect from the ratepayers of the municipality or otherwise provide any amount by way of sinking fund for payment of the said debentures or any set of them at the maturity thereof, but that the council shall for the succeeding twenty years of the term for which said debentures are issued collect from the revenues of the water works or levy and collect by special rate as a sinking fund for the payment thereof the yearly sum of \$11,753.62, instead of the yearly amount herein first provided for, such sum of \$11,753.62 being sufficient with the estimated interest on the investment thereof to discharge the debt to be hereby created when the same becomes payable.

(b) Or provide for the payment of said debentures or any set of them within a period of ten years from the date of issue thereof, and for the re-issue of the same or any set of them, for a further period of twenty years from the date the debentures, payable within ten years, become due, and the council may by said by-law or by-laws, in the event of said debentures being issued payable within ten years, provide that it shall not be necessary to collect or use any of the revenues of the said water works or levy or collect from the ratepayers of the municipality or otherwise provide any amount by way of sinking fund for the payment of the said ten years' debentures at the maturity thereof.

(c) Provided the provisions set out in clause (b) of this section are adopted the said council may by by-law or by-laws passed without the assent of the ratepayers, authorize the re-issue of, and may re-issue debentures for the said sum of \$350,000, or such portion thereof as may be necessary, the said debentures to be made payable within twenty years from the maturity of the debentures payable within ten years from the issue thereof, and said by-law shall provide as a sinking fund for the payment of said debentures the yearly sum of \$11,753.62, instead of the amount herein first provided for, such sum being sufficient with the estimated interest on the investment thereof to discharge the debt to be hereby created when the same becomes payable.

(d) The City Council may by by-law or by-laws passed under the provisions of clauses (a) (b) or (c) of this section, provide and enact that instead of the rate of interest payable on said debt to be created hereby and the amount of said interest to be raised annually therefor as hereinbefore provided, that such rate and amount may be raised or lowered to such rate and for such annual sums as the council may by said by-law provide.

*Mayor.*

*Clerk.*

## CHAPTER 118.

## An Act respecting the City of Port Arthur.

*Assented to April 8th, 1921.*

**W**HEREAS the municipal corporation of the City of <sup>Preamble.</sup> Port Arthur has by petition represented that by section 5 of *The City of Port Arthur Act, 1912*, being 2 Geo. V, chapter 118, the council of the corporation was authorized to pass a by-law consolidating into one issue of \$1,885,000, the amount of the debentures authorized by the by-laws specified in Schedule "A" to the said Act, and to borrow the said sum of \$1,885,000 by the issue of debentures, payable in forty years and bearing interest at a rate not exceeding four and one-half per centum per annum, payable half-yearly; and whereas no debentures issued under the authority of the said Act have been as yet sold; and whereas, under present conditions, four and one-half per cent. is too low a rate of interest, and it is desirable that the said corporation should have power to issue new consolidated debentures bearing interest at a rate not exceeding 7 per cent. per annum in order that the corporation may be enabled to dispose of them more profitably; and whereas the said corporation has further represented that all sales of land purporting to be made for arrears of taxes and all deeds of such lands made prior to the first day of January, 1920, should be validated and confirmed; and whereas at the municipal election, held on the third day of January, 1921, the municipal electors voted in favour of the election of aldermen for a term of two years, one-half retiring annually, and it is desirable that the council should have power to pass a by-law providing for the election of aldermen for a term of two years; and whereas the said corporation has prayed that an Act may be passed for the above-mentioned purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to  
issue new  
debentures  
for  
\$1,885,000  
to replace  
debentures  
authorized  
by 2 Geo. V,  
c. 118, s. 5.

**1.**—(1) The council of the corporation of the City of Port Arthur may, without the assent of the electors qualified to vote on money by-laws, pass a by-law repealing the by-law passed under the authority of subsection 1 of section 5 of 2 Geo. V, chapter 118, and in lieu of the debentures issued under the repealed by-law, hereinafter called "the old debentures," may consolidate into one issue of one million eight hundred and eighty-five thousand (\$1,885,000) dollars the debentures specified in Schedule "E" to the said Act, and may issue new debentures of the corporation to the amount of one million eight hundred and eighty-five thousand (\$1,885,000) dollars.

Term of  
debentures.

(2) The new debentures shall be payable within a term not exceeding forty years from the 1st day of January, 1912, and shall bear interest at a rate not exceeding 7 per cent. per annum, payable half-yearly, as may be fixed by the consolidating by-law.

New debentures to be deposited with National Trust Co., old debentures to be cancelled.

(3) When the new debentures have been issued they shall be deposited with National Trust Company, Limited, and thereupon the old debentures shall be cancelled.

(4) The provisions of subsections 2 to 10 of section 5 of 2 Geo. V, chapter 118, shall apply to the by-law passed under the authority of this section and to the new debentures.

Tax sales  
prior to  
Jan. 1, 1920,  
confirmed.

**2.**—(1) All sales of land in the City of Port Arthur made prior to the first day of January, 1920, and which purport to be made by the corporation of the said city for arrears of taxes in respect of lands so sold, are hereby validated and confirmed, and all deeds of lands so sold, executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser or his assigns, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purported to be sold and conveyed, and the same are hereby vested in the purchaser or his assigns and his and their heirs and assigns in fee simple, free and clear of and from all right, title and interest whatsoever on the owners thereof at the time of such sale or their assigns and of all charges and encumbrances thereon, except taxes accrued since those for non-payment whereof the said lands were sold.

Case of  
corporation  
as pur-  
chaser.

(2) Subsection 1 of this section shall extend and apply to cases where the said city or any person or persons in trust for it, or in its behalf became the purchaser of lands at any such tax sale.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed. Section not to affect pending litigation.

3. The council of the said corporation may, without the assent of the municipal electors, by by-law passed before the first day of November in any year provide that at the next election, and at each succeeding election thereafter while the by-law remains in force, one-half of the aldermen receiving the highest number of votes shall hold office for a term of two years, and the other half shall hold office for a term of one year, and that at each succeeding election thereafter the aldermen to be elected shall hold office for a term of two years, and that in case all the aldermen are elected by acclamation at the first election, the one-half of them having the highest assessment in the said city, according to the last revised assessment roll, shall hold office for a term of two years and the other half for a term of one year. Method for election of council may be adopted by by-law.

4. This Act shall come into force and take effect on the day upon which it receives the Royal Assent. Date when Act takes effect.

## CHAPTER 119.

## An Act respecting the Cities of Port Arthur and Fort William.

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS petitions have been presented by the Corporation of the City of Port Arthur and the Corporation of the City of Fort William praying that it may be enacted as hereinafter set forth; and whereas by their petitions aforesaid the said municipalities have represented that they each own and operate an electric street railway, and that the fare of the said railway has, up to the 1st day of September, 1920, never exceeded in each city the sum of five cents, but on or about that date the said municipalities, by by-law, increased the said fare to an amount exceeding the sum of five cents in each city, and doubt has arisen as to whether or not the said municipalities have power to collect and take such increased fare; and whereas it has been further represented that the said fare of five cents is inadequate; and that the traffic on the said railways at the said rate is not sufficient to pay the expenses of the said railways; and that each year a large deficit results which has to be borne out of the general funds of the municipalities; and whereas it is expedient to grant the prayer of the said petitions;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Power to  
collect fare  
over five  
cents.

**1.** Notwithstanding the provisions of clause 6 of Schedule "A," to an *Act respecting the Town of Port Arthur*, passed in the fifty-sixth year of the reign of Her late Majesty Queen Victoria, chaptered 78, and notwithstanding anything contained to the contrary in *The Ontario Railway Act*, each of the Municipalities of the Corporation of the City of Port Arthur and the Corporation of the City of Fort William may collect and take such fare over and above the sum of five cents from passengers on its street railway as may from time to time be fixed by by-law to be passed by such municipalities, provided that no such by-law or by-laws shall come into force or have effect until same have been approved by a vote of the electors qualified to vote on money by-laws of the said municipalities and have also been approved by the Ontario Railway and Municipal Board.

Rev. Stat.,  
c. 185.

## CHAPTER 120.

An Act respecting Two Abandoned Cemeteries in  
the Town of Port Colborne*Assented to April 8th, 1921.*

**W**HEREAS the Municipal Corporation of the Town Preamble.  
of Port Colborne has, by its petition, represented that two cemeteries in which no bodies have been interred for a period of nearly forty years, and which are in such a neglected, dilapidated condition as to constitute a public eye-sore, are located on one of the principal residential streets in said town; and whereas the said Municipal Corporation has by its said petition prayed that an Act be passed authorizing it to take possession of said abandoned cemeteries and to remove therefrom the bodies buried therein to either of two other cemeteries located in the vicinity of said town, now being used by the residents of said town for the burial of the dead, and further authorizing the purchase of lands in said cemeteries for the re-burial of said bodies; and whereas the said cemeteries are located and may be known or more particularly described as follows, that is to say:—*Firstly*, being composed of lots numbered twelve and thirteen on the south side of Sugar Loaf Street and the graveyard lot lying south of lots numbered eleven, twelve and thirteen on the south side of Sugar Loaf Street, in the Town of Port Colborne, in the County of Welland, and Province of Ontario, as laid down on Merritt's Plan No. 1, registered in the registry office for the said county on the 27th day of January, 1853, and which said parcel of land is particularly described as follows:—Commencing at the intersection of the south limit of Sugar Loaf Street with the east limit of Elm Street; thence north eighty-five degrees and fifteen minutes east along the south limit of Sugar Loaf Street, one hundred and seventy-three feet more or less to the north-west angle of said lot number eleven; thence south four degrees and forty-five minutes east along the west limit of said lot number eleven, one hundred and thirty-two feet to the south-west angle thereof; thence north eighty-five degrees and fifteen minutes east along the south limit of said lot number eleven, sixty-six feet more or less, to the south-east angle thereof; thence south four degrees and forty-five minutes east, one hundred and seventy-five feet

feet more or less to the shore line of Lake Erie; thence westerly along the shore line of Lake Erie two hundred and fifty-six feet more or less to the east limit of Elm Street, and thence north along said limit of Elm Street two hundred and seventy-five feet more or less to the place of beginning, and containing an area of one acre and two-fifths be the same more or less, excepting thereout that portion of said lands heretofore expropriated by the Department of Railways and Canals of the Dominion of Canada, as a right-of-way for a Government spur, running to the Government elevator lying to the south of said lands. *Secondly*, being composed of the graveyard lot on the north side of Sugar Loaf Street, in the said Town of Port Colborne, in the County of Welland, as laid down on Carter's plan, registered in the said registry office as number 14292, and which said graveyard lot is particularly described as follows:— Commencing at the south-west angle of lot number nine, as laid down on said Carter's plan; thence south eighty-eight degrees and fifty-five minutes west along the north limit of Sugar Loaf Street, one hundred and eighty-five feet and five inches, more or less, to the point where the west limit of lot number two hundred and seventy-six as laid down on registered plan No. 14 intersects said limit of Sugar Loaf Street; thence north along the east limit of said last-mentioned lot seventy-six feet and seven inches to an angle in said lot; thence north-easterly along the southerly limit of said lot number two hundred and seventy-six and along the southerly limit of block "D" one hundred and ninety feet and ten inches more or less to the north-west angle of aforesaid lot number nine; thence south along the west limit of said lot number nine a distance of one hundred and seventeen feet and six inches more or less to the place of beginning, and containing an area of two fifths of an acre be the same more or less; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Removal of  
remains of  
the dead.

1. The Council of the Municipal Corporation of the Town of Port Colborne is hereby authorized forthwith, after giving notice as hereinafter mentioned, at their own expense, to remove from the said cemeteries the remains of the dead therein interred to either one of two cemeteries located in the vicinity of the said town, and at present being used for the burial of the dead by the residents of the said town, at the sole cost of the said Municipal Corporation, and to re-inter such remains decently and in order and to re-erect any

monuments

monuments or head-stones erected in the said old cemeteries at the time of such removal, such removals and re-interments to be made, so far as reasonably may be, with a due regard to the wishes or desires of the relatives or friends of the said deceased.

2. The said Municipal Corporation shall, before removing the remains as aforesaid, during the period of one month, publish a notice once in each week in the newspaper published in the said Town of Port Colborne, and in *The Ontario Gazette*, stating its intention to remove the said remains upon and after a day to be named in the said notice, which day shall not be less than six weeks after the first publication of said notice, and no further or other notice to the representatives, friends or relatives of the deceased shall be necessary.

Notice to  
relatives.

3. It shall be the duty of the said Municipal Corporation to use due care and diligence to remove the remains of all of the dead from the said cemeteries, and if it shall be made to appear to the County Judge of the County of Welland for the time being, and if he shall so certify under his hand that the remains of all the dead now interred in said cemeteries, so far as the same can be discovered, have been removed from each of said cemeteries then such certificate shall be registered in the Registry Office of the said County of Welland, on the production thereof to the Registrar and the payment to him of one dollar as a fee for such registration, and thereupon the said lands hereinbefore designated and occupied by said cemeteries shall be vested in the Municipal Corporation of the Town of Port Colborne, its successors and assigns, in fee simple free and discharged of and from all claims and demands of any person or persons whatsoever.

Certificate  
of County  
Judge as  
to removal  
of remains.

## CHAPTER 121.

## An Act to incorporate the Town of River Side.

*Assented to May 3rd, 1921.*

## Preamble.

**W**HEREAS Oswald J. Janisse, of the Township of Sandwich East, real estate agent; John O. Lundy, of the City of Windsor in the County of Essex, real estate agent; Malcolm S. Clapp, of the said Township of Sandwich East, farmer; William A. St. Louis, of the said Township of Sandwich East, retired farmer; Raymond D. Morand, of the said City of Windsor, physician, and others have by their petition requested that this territory hereinafter described be constituted a new municipality, and the said petitioners have prayed that an Act may be passed for the purpose of incorporating the said territory; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Incorporation.

**1.** The inhabitants of the land described in section 2 are hereby constituted a corporation or body politic under the name of the Corporation of the Town of River Side, separate and apart from the Township of Sandwich East.

## Boundaries.

**2.** The said Town of River Side shall comprise and consist of all that part of the said Township of Sandwich East described as follows:—

All and singular that certain parcel or tract of land and premises situate lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of a portion of farm lots 112 to 149 inclusive, together with a portion of the land under the water of the Detroit River and which parcel may be more particularly described as follows: Commencing at the intersection of the easterly limit of the Town of Ford City and the northerly limit of the Grand Trunk Railway; thence easterly and along the northerly limit of the Grand Trunk Railway to the centre line of the Lauzon Road; thence northerly and  
along

along the centre line of the Lauzon Road to the westerly production of the centre line of the Little River Road; thence easterly and along the centre line of the Little River Road and its production thereof easterly to the limit between farm lots 149 and 150; thence northerly and along the last mentioned limit to the water's edge of Lake St. Clair; thence westerly and along the water's edge of Lake St. Clair to the limit between farm lots 141 and 142; thence northerly along the northerly production of the said limit between farm lots 141 and 142 to the harbor line of the Detroit River; thence westerly and along the said harbor line to the easterly limit of Ford City; thence southerly and along the last mentioned limit to the place of beginning, containing by admeasurement, land 1,800 acres, land under water 350 acres, more or less.

**3.** The council of the town shall be composed of a mayor, reeve and three councillors. First election of council.

**4.** On the tenth day of May, 1921, it shall be lawful for Adolph J. E. Belleperche of the said town of River Side who is hereby appointed the returning officer, to hold the nomination for mayor, reeve and councillors at a school-house in the said Town of River Side at the hour of noon, of which nomination he shall give one week's notice by posting the same up in at least six conspicuous places in the said town and he shall preside at such nomination or, in case of his absence, the electors present shall choose from among themselves a chairman to preside, who shall have all the powers of a returning officer and the polling for the said election, if necessary, shall be held on the same day of the week next following the said nomination, and the returning officer or chairman shall at the close of the nomination publicly announce the place at which such polling shall be held. Nomination meeting and election.

**5.** At the first election the qualification of the electors and of the mayor, reeve and councillors for the said town shall be the same as that required in townships, and at all subsequent elections the qualifications of the electors and of the mayor, reeve, councillors and other officers shall be the same as that required in incorporated towns. Qualification of electors and candidates.

**6.** The township clerk of Sandwich East shall furnish the said returning officer, upon demand made upon him for the same, with a certified copy of so much of the last revised assessment roll of the said township, as may be required to ascertain the names of all persons in said township entitled to vote at such first election. Township clerk of Sandwich East to furnish copy of part of assessment roll.

First  
meeting  
of council.

**7.** The Mayor, reeve and councillors so to be elected shall hold their first meeting at a schoolhouse in the said town at eight o'clock in the evening of the same day of the week next following the polling, and if there shall not be any polling, then on the same day of the week next following the nomination.

Vacancies.

**8.** If a vacancy occurs from any cause in the office of mayor, reeve or councillor before a voters' list for the town has been prepared, the council shall appoint a person to fill the vacancy who shall hold office for the remainder of the term for which his predecessor was elected.

Separation  
from  
township.

**9.** The land comprised in the said town is hereby detached from the Township of Sandwich East, and shall form a separate and independent municipality.

Town to  
form part  
of existing  
school  
section.

**10.** The land comprised in the said town shall be and remain a part of school sections within said lands of the Township of Sandwich East, for all purposes as though this Act had not been passed, until a by-law approved by the Minister of Education has been passed by the council of the said town for the establishment of an urban school board.

Application  
of pro-  
visions of  
Rev. Stat.,  
c. 192.

**11.** Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act*, and of any other general Act applicable to towns, shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

Town to  
take assess-  
ment for  
year 1921.

**12.** The council of the said town may pass a by-law for taking the assessment of the said town for the year 1921, between the first day of June and the first day of August, 1921, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the first day of August, 1921, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended and the final return by the judge four weeks from that day.

Adjustment  
of assets  
and liab-  
ilities.

**13.** The provisions of *The Municipal Act* as to the adjustment of assets and liabilities and as to matters consequent on the formation of new corporations, shall apply as if the said land had been erected into a village under that Act, except:—

(a) The taxes for the year 1921 shall be collected by  
and belong to the Town of River Side;

(b)

(b) Any expenditure by the Township of Sandwich East within the limits of River Side from the first day of January, 1921, to the passing of this Act shall be deemed to be a liability on the Town of River Side.

(c) If the council of the Town of River Side and the council of the Township of Sandwich East are unable to agree as to the adjustment of assets and liabilities, the County Judge of the County of Essex shall upon the application of either of the said parties appoint two valutors to equalize the assessment as between the said town and the township and the same shall be the basis upon which the arbitrators shall adjust the assets and liabilities.

(d) The fees of the said valutors shall be included as one of the liabilities to be adjusted between the said town and township.

**14.** The expense incurred in obtaining this Act and of <sup>Expenses</sup> furnishing any documents, copies of papers, writings, deeds or any other matters whatsoever required by the clerk or other officer of said town or otherwise, shall be borne by the town and paid by it to any person who may be entitled thereto. <sup>of Act.</sup>

**15.** It shall be lawful for the council to appoint one <sup>Authority</sup> person to fill the offices of clerk and treasurer in the said <sup>to combine</sup> town and another person to fill the offices of assessor and <sup>certain</sup> collector. <sup>municipal</sup> <sup>offices.</sup>

**16.** This Act shall come into force on the day upon which <sup>Date when</sup> it receives the Royal Assent. <sup>Act to</sup> <sup>take effect.</sup>

## CHAPTER 122.

## An Act respecting the City of St. Thomas.

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS the Municipal Corporation of the City of St. Thomas has, by its petition, prayed that an Act may be passed, ratifying and confirming By-law No. 2430 of the said city passed on the 17th day of January, 1921, authorizing the issue of debentures to an amount not exceeding \$233,000 for the purchase of the necessary lands for and the construction of a dam and storage basin for impounding water for the city waterworks, and the other purposes set forth in the said by-law; and authorizing the Board of Water Commissioners to construct and maintain such dam and storage basin across and along Kettle Creek above the waterworks, and to purchase and acquire the necessary lands therefor; authorizing the Council with the assent of the ratepayers to pass a by-law for the purchase of lands within the city or adjacent thereto for the location of factories, and the right to give, grant or lease any portions of the same to manufacturers on such terms as to price, erection of buildings and number of hands to be employed as may be agreed upon; authorizing the Council to use, for other than market purposes the old City Hall site, being city lot number 21 south of Talbot Street, and the old St. Andrew's Market comprising lots numbers 3 and 4 east of Stanley Street and lots numbers 9, 10, and 11 west of William Street, as the same are no longer required for market purposes, and to grant, sell or lease the same, and that the conveyance of the said market property to the city may be varied accordingly; and authorizing the council, without the assent of the electors to pass a by-law for the issue of debentures not exceeding \$13,000 for the purchase of a hook and ladder and chemical truck for the fire department; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-law  
No. 2430  
confirmed.

**1.** By-law No. 2430 of the Corporation of the City of St. Thomas, passed on the 17th day of January, A.D. 1921, authorizing the issue of debentures for a sum not exceeding  
\$233,000.

\$233,000, set forth in Schedule "A" to this Act, for the construction of a concrete, earth and stop log dam across Kettle Creek, the purchase of lands for and the forming of a storage basin for impounding water and for other purposes set forth in said by-law, is hereby ratified and confirmed and declared to be legal, valid and binding.

**2.** The Board of Water Commissioners of the City of St. Thomas may construct or cause to be constructed and maintained across the stream known as Kettle Creek at a point above the waterworks in the Township of Yarmouth, a combined concrete, earth and stop log dam and purchase for and in the name of the Corporation the lands necessary for and to form and maintain a storage basin above said dam for the storage of the waters of Kettle Creek, for the St. Thomas waterworks, and for such purpose collect, impound and conserve as much as may be necessary of the waters of said creek therein, and carry the same by means of pipes or otherwise to the said works, for the use of the inhabitants of the said city.

Construction  
of dam to  
maintain  
storage  
basin.

**3.** The Council of the Corporation of the City of St. Thomas may issue or cause to be issued the said debentures at such times and in such amounts as they may deem expedient, but so that the aggregate amount issued shall not exceed \$233,000, and so that all of such issues shall be made within five years from the date of the final passing of the said by-law, and each of such issues may extend over and be payable within the term of thirty years from the date of such issue, notwithstanding anything contained in the said by-law.

Issue of  
debentures.

**4.** The Municipal Councils of the City of St. Thomas and Township of Yarmouth may enter into an agreement providing for the raising of any road, highway, or bridge that will be affected by the formation of the said storage basin or the raising of the waters of Kettle Creek, and for paying the cost thereof.

Agreement  
with Town-  
ship of  
Yarmouth  
re raising  
of highway  
or bridge.

**5.** All of the conveyances of the lands so purchased shall be made to the Corporation of the City of St. Thomas, and where a larger quantity of land can be purchased from any owner at a more reasonable price than the part immediately required, such larger parcel may be acquired, and the Council of the Corporation on the request and with the consent of the Board of Water Commissioners may, from time to time, sell and dispose of, or lease any portion or portions of said lands not required for waterworks purposes.

Conveyances  
of land to  
be made to  
city,—  
purchase  
of larger  
quantity  
than re-  
quired.

**6.** All of the provisions of *The Municipal Act* respecting the acquisition and expropriation of land, and arbitrations

Application  
of certain  
provisions  
of Rev. Stat.,  
in  
c. 192.

in reference thereto, shall apply to any lands taken or injuriously affected by the exercise of any of the powers conferred by this Act.

Power to purchase land for factory sites.

7.—(1) The Council of the Corporation of the City of St. Thomas, with the assent of the electors entitled to vote on money by-laws, may pass a by-law or by-laws for the purchase of lands within the city or adjacent thereto, not exceeding in the aggregate 100 acres for the location of factories, and subject to subsections 2 and 3, may also pass by-laws from time to time for selling and disposing of any portions of said lands to manufacturers, at a price not less than the cost thereof, and for granting or leasing any portions of such lands for manufacturing purposes, on such terms as to price, erection of buildings, and number of hands to be employed, as may be agreed upon between the said council and such manufacturers, and take such security as the council may deem expedient, for the due performance of any agreement entered into respecting the same.

Certificate of Ontario Railway and Municipal Board as to selling price or rental of lands purchased.

(2) No part of such land shall be sold or disposed of unless and until the Ontario Railway and Municipal Board certifies that the price is not less than the cost of it and in determining that fact the Board shall have regard to any advantages it may have by reason of location or special adaptability or otherwise as a manufacturing site over the rest of the land and no part of such land shall be leased unless and until the Board certified that the rent reserved is a fair return on the cost price of the part determined as above set out.

Land outside city to be liable to assessment.

(3) Any land acquired under this section lying outside the limits of the city shall be liable to assessment and taxation by the municipality in which it is situate until it is annexed to the city.

Power to borrow \$13,000,—purchase of hook and ladder truck.

8. The Council of the Corporation of the City of St. Thomas may, without submitting the same for the assent of the electors entitled to vote on money by-laws as provided by *The Municipal Act*, pass a by-law providing for the issue of debentures payable in not more than 5 years from the issue thereof for the purchase of a hook and ladder and chemical truck for the fire department of the city at a cost not to exceed \$13,000.

Date when Act takes effect.

9. This Act shall come into force and take effect on the day upon which it receives the Royal Assent.

## SCHEDULE "A."

BY-LAW No. 2430.

To authorize the issue of debentures to an amount not exceeding \$233,000 for the construction of a concrete, earth and stop log dam, and the purchase of the necessary lands for creating a storage basin for the St. Thomas waterworks, and for other purposes specified in the by-law;

Whereas it is necessary and expedient to provide for an increased supply of water for the waterworks of the City of St. Thomas for the use of the inhabitants of and the industries operating in the city;

And whereas the Board of Water Commissioners of the said city, after consideration of different schemes for increasing the water supply for the city, and acting on the advice and reports of engineers and experts engaged to report on the same, have recommended the construction of a combined concrete, earth and stop log dam, across Kettle Creek above the waterworks and on or near lot number five in the first range north of the Edgeware Road in the Township of Yarmouth, and the purchase of the necessary lands required to form and the forming in the bed of Kettle Creek and the adjacent flats above the dam of a storage basin capable of holding and impounding approximately 600,000,000 gallons of water, and the estimated cost of the said work is the sum of \$200,000;

And whereas it has been necessary to sink additional wells in order to procure more water for the said waterworks, and to make changes in the layout of the electric pumps so as to retain in service the large steam pump, and to repair and strengthen the west wall of the clear water basin, and to incur other expenditure for the purpose of putting the waterworks plant and the engineers' houses in good condition and repair, and the estimated cost of all these last-mentioned works is the sum of \$33,000;

And whereas the Board of Water Commissioners have made application to the Municipal Council of the City of St. Thomas for the sum of \$233,000 for the construction and carrying out of the said works and for paying the cost thereof, and the council are of the opinion that the said expenditure is necessary and in the public interest, and have resolved to submit this by-law to the ratepayers of the city for their approval;

And whereas for the purposes aforesaid it will be necessary to borrow upon the credit of the Corporation of the City of St. Thomas the sum of \$233,000, and to issue debentures of the corporation therefor and to provide for payment of the same and the interest thereon, which said sum of \$233,000 is the amount of the debt intended to be created under the authority of this by-law;

And whereas the said council has resolved that the said debentures shall be payable in thirty equal annual instalments, with interest at a rate not exceeding six per cent. per annum, the said instalments to be such that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years;

And whereas the amount of the whole rateable property of the City of St. Thomas, according to the last revised assessment roll of the said city, being for the year 1920, is the sum of \$13,181,083;

And whereas the existing debenture debt of the Corporation of the City of St. Thomas is the sum of \$1,151,321.25 as against which the corporation has on hand sinking funds to the amount

of \$31,560.80, and there is no sum in arrears either for principal or interest for or on account of the said debt. The above amount of debenture debt is exclusive of the sum of \$50,000 of debentures of the St. Thomas Street Railway which have been guaranteed by the municipality and is exclusive also of local improvement debentures secured by special rates and assessments, which last-mentioned debt amounts to the sum of \$320,444.33, all of which is guaranteed by the municipality and as against which the corporation has on hand sinking funds to the amount of \$12,180.67, and no sum is in arrears either for principal or interest for or on account of the said debt;

And whereas in addition to all other rates to be levied each year during the said term of thirty years, in the City of St. Thomas, it will be necessary to raise annually by a special rate sufficient therefor on all the rateable property in the said city the sum of \$16,927.20 during the said term of thirty years for the payment of the said debt and interest thereon as the same become due and payable;

And whereas the Provincial Board of Health has approved of the said several works, improvements and extensions to the waterworks system of the said city, as well as to the source of the water supply thereof;

Therefore the Corporation of the City of St. Thomas, by the council thereof, enacts as follows:—

1. It shall be lawful for the mayor of the City of St. Thomas, for the purposes aforesaid, to borrow from any person or persons, body or bodies corporate, who may be willing to advance the same upon the security of the debentures hereinafter mentioned, a sum not exceeding two hundred and thirty-three thousand dollars, and to issue debentures of the said city therefor in sums of not less than fifty dollars each, bearing interest at a rate not exceeding six per cent. per annum, payable in the manner, for the amounts, and at the times hereinafter set forth.

2. The said debentures shall have coupons attached thereto for the interest, or the interest may be included in the said debentures, and the same shall be payable at the office of the city treasurer in the City of St. Thomas.

3. The said debentures shall be payable in annual instalments within thirty years from the date of the issue thereof, the said instalments to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of such period of thirty years, as is hereinafter particularly set forth.

4. The said debentures shall bear interest at a rate not exceeding six per cent. per annum from the date of the issue thereof, and the same shall be payable half-yearly in each and every year during the currency of the said debentures or any of them.

5. It shall be lawful for the mayor of the City of St. Thomas, and he is hereby authorized and instructed to sign and issue the said debentures hereby authorized to be issued, and to cause the same and the interest coupons thereto attached to be signed by the treasurer of the City of St. Thomas, and the clerk of the said city is hereby authorized to attach the seal of the said city to the said debentures.

6. There shall be raised and levied in each and every year for thirty years, the currency of the debentures to be issued under the authority of this by-law, by a special rate sufficient therefor, on all the rateable property in the City of St. Thomas, over and above  
and

and in addition to all other rates and taxes, the sum of \$16,927.20 for payment of the several instalments of principal and interest accruing due on the said debt as the same become respectively payable in the years hereinafter mentioned, and the sums to be so raised and levied for the payment of the said principal and interest in each year during the said period are as follows:—

Year.	Interest.	Principal.	Total.
1921.....	\$13,980.00	\$2,947.20	\$16,927.20
1922.....	13,803.17	3,124.03	16,927.20
1923.....	13,615.73	3,311.47	16,927.20
1924.....	13,417.04	3,510.16	16,927.20
1925.....	13,206.43	3,720.77	16,927.20
1926.....	12,983.11	3,944.01	16,927.20
1927.....	12,746.55	4,180.65	16,927.20
1928.....	12,495.71	4,431.49	16,927.20
1929.....	12,229.82	4,697.38	16,927.20
1930.....	11,949.97	4,979.23	16,927.20
1931.....	11,649.22	5,277.98	16,927.20
1932.....	11,332.54	5,594.66	16,927.20
1933.....	10,996.86	5,930.34	16,927.20
1934.....	10,641.04	6,286.16	16,927.20
1935.....	10,263.87	6,663.33	16,927.20
1936.....	9,864.07	7,063.13	16,927.20
1937.....	9,440.28	7,486.92	16,927.20
1938.....	8,991.07	7,936.13	16,927.20
1939.....	8,514.90	8,412.30	16,927.20
1940.....	8,010.16	8,917.04	16,927.20
1941.....	7,475.14	9,452.06	16,927.20
1942.....	6,908.02	10,019.18	16,927.20
1943.....	6,306.87	10,620.33	16,927.20
1944.....	5,669.65	11,257.55	16,927.20
1945.....	4,984.20	11,933.00	16,927.20
1946.....	4,278.21	12,648.99	16,927.20
1947.....	3,519.28	13,407.92	16,927.20
1948.....	2,714.80	14,212.40	16,927.20
1949.....	1,862.06	15,065.14	16,927.20
1950.....	958.15	15,969.05	16,927.20

7. A special rate on the dollar upon the assessed value of all the rateable property in the City of St. Thomas, over and above and in addition to all other rates and taxes, and which rate shall be sufficient to produce in each year the sum of \$16,927.20, shall be annually levied and collected from the year 1921 to the year 1950, both years inclusive (unless the said debentures shall be sooner paid), for the purpose of paying the said sum of \$233,000, and the interest thereon as hereinbefore specified.

8. The debentures to be issued under the authority of this by-law, may be issued in sets of such amounts and at such times as the circumstances may require, but so that the first of such sets shall be issued within two years and all of them within five years from the date of the final passing of this by-law.

9. This by-law shall be submitted to the electors of the City of St. Thomas qualified and entitled to vote on money by-laws at and on the day of the next ensuing annual municipal elections.

10. This by-law shall take effect on, from and after the date of the final passing thereof.

Read a first and second time this 15th day of December, A.D. 1920.

Read a third time and finally passed this 17th day of January, A.D. 1921.

(Seal.)

(Sgd.) F. L. BRINKMAN,  
Mayor.

(Sgd.) W. B. DOHERTY,  
City Clerk.

CHAPTER

## CHAPTER 123.

## An Act respecting the City of Sault Ste. Marie.

*Assented to May 3rd, 1921.*

Preamble.

**W**HEREAS the Municipal Corporation of the City of Sault Ste. Marie, hereinafter called "the corporation" has by petition represented that it is desirable that certain by-laws specified in schedule "A" hereto and the debentures issued or to be issued thereunder, and the assessments made or to be made, and the rates levied or to be levied for the payment of the said debentures, be validated and confirmed, and that all sales of land within the City of Sault Ste. Marie made subsequent to the 31st day of December, 1918, and prior to the 1st day of January, 1920, which purport to have been made by the said corporation for arrears of taxes in respect to lands so sold, for which tax deeds have been issued by the said corporation, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

By-laws specified in Schedule "A" confirmed.

**1.** The by-laws specified in schedule "A" hereto and all debentures issued or to be issued under said by-laws, or any of them, and all assessments made or to be made, and all rates levied or to be levied for the payment of the said debentures so authorized, are confirmed and declared to be legal, valid and binding upon the corporation and the rate-payers thereof.

Tax sales and deeds confirmed.

**2.—(1)** All sales of lands within the City of Sault Ste. Marie made subsequent to the 31st day of December, 1918, and prior to the 1st day of January, 1920, which purport to have been made by the corporation of the said city for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation are hereby validated and confirmed, and all deeds of lands so sold executed by the mayor and treasurer of the said corporation

on

on behalf of the said corporation, purporting to convey the said land so sold to the purchaser thereof or his, her or their assigns, are hereby validated and confirmed, and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser or his or her or their heirs and assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon except taxes accrued since those for which payment whereof the said lands were sold.

(2) Subsection 1 of this section shall extend and apply to cases where the said corporation or any person or persons in trust for it or in its behalf became the purchaser of lands at any such tax sale.

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**3.** This Act may be cited as *The City of Sault Ste. Marie Act, 1921.* **Short title.**

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. **Commence-  
ment of Act.**

## SCHEDULE "A."

(a) By-law No. 1079 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum of \$22,500 to provide for the deficiency realized on the sale of the debentures authorized under By-laws Numbers 990 and 1068 of the said City of Sault Ste. Marie.

(b) By-law No. 1097 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum of \$5,000 to be expended in the purchase of certain lands in the District of Algoma for the purchase of a cemetery.

(c) By-law No. 1106 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum of \$6,000 to pay for the cost of construction of granolithic sidewalks on the street, being the production westerly of Douglas Street and the grading of said street.

(d) By-law No. 1109 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise the sum of \$30,000 for the purchase of lots six and seven in the first concession of park lots in the City of Sault Ste. Marie for holding agricultural exhibitions thereon.

(e) By-law No. 1110 of the City of Sault Ste. Marie, a by-law to authorize the purchase of certain lands in the Ferguson subdivision in the said City of Sault Ste. Marie for the purpose of a public park.

(f) By-law No. 1111 of the City of Sault Ste. Marie, a by-law to provide for the issue of debentures to raise the sum of \$78,380 for the completion of certain school buildings; acquiring additional land for school sites and equipment for certain schools in the City of Sault Ste. Marie.

(g) By-law No. 1112 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise money to pay for the cost of certain sewers constructed as local improvements in 1920.

(h) By-law No. 1113 of the City of Sault Ste. Marie, a by-law to authorize the issue of debentures to raise money to pay for the cost of certain granolithic sidewalks constructed as local improvements in 1920.

## CHAPTER 124.

## An Act respecting the Township of Stamford.

*Assented to April 8th, 1921.*

**W**HEREAS the Municipal Corporation of the Town-Preamble,  
 ship of Stamford has by its petition represented that  
 the said Township of Stamford is adjacent to the City of  
 Niagara Falls and the said township has no hospital within  
 its limits and its residents use the Niagara Falls General  
 Hospital; and whereas it is deemed proper and expedient  
 that the said Township of Stamford should assist the Niag-  
 ara Falls General Hospital Trust in financing the erection  
 and equipment of an addition to the present Niagara Falls  
 General Hospital, and for that purpose pass a by-law au-  
 thorizing the issue of debentures of the said township to the  
 amount of \$10,000; and whereas according to the last  
 revised Voters' List of the said Township of Stamford the  
 number of electors qualified to vote on by-laws for the crea-  
 tion of debts is 831, of which number 481 are non-residents  
 of the said township, and by reason of such large proportion  
 of non-resident voters, it is very difficult to obtain the neces-  
 sary percentage of votes to carry such a by-law; and whereas  
 the said municipal corporation has prayed that an Act may be  
 passed enabling the council of the corporation to pass a by-  
 law without obtaining the assent of the electors thereto  
 authorizing the issue of debentures not exceeding the aggre-  
 gate sum of \$10,000 and to be payable within twenty years  
 from the issue thereof for the purpose of providing for the  
 matters aforesaid; and whereas it is expedient to grant the  
 prayer of the said petition:

Therefore, His Majesty, by and with the advice and con-  
 sent of the Legislative Assembly of the Province of Ontario,  
 enacts as follows:—

1.—(1) The Council of the Municipal Corporation of the Township of Stamford may, without submitting the same to the vote of the electors, pass a by-law or by-laws to authorize the issue of debentures of the said municipal corporation for an amount not exceeding \$10,000 for granting aid to the Niagara Falls General Hospital Trust in financing the erection and equipment of an addition to the present Niagara Falls General Hospital.

Power to  
 borrow  
 \$10,000 for  
 grant to  
 General  
 Hospital.

(2) The debentures shall be payable within a term not exceeding twenty years from the issue thereof, and shall bear interest at such rate as the council may determine.

Terms of  
 debentures.

CHAPTER

## CHAPTER 125.

## An Act to incorporate the Town of Tecumseh

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS Malcolm Clapp, of the Township of Sandwich East, in the County of Essex, Farmer, and others, have by their petition represented that a considerable portion of the lands hereinafter described are suitable for the purpose of summer residences and are becoming greatly in demand for such purposes; and whereas it has further been represented that when certain improvements are made upon the said lands, this district will be very rapidly built up, and that upon the extension of good roads and transportation facilities it will become a place of permanent residence for a very much larger population than it has at the present time; and whereas it appears that the petition has been signed by a majority of the whole number of ratepayers in the said territory; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Incorporation.

**1.** The inhabitants of the lands described in section 2 are hereby constituted a corporation or body politic under the name of the Corporation of the Town of Tecumseh, separate and apart from the Township of Sandwich East.

## Boundaries.

**2.** The said Town of Tecumseh shall comprise and consist of all that part of the said Township of Sandwich East described as follows:—All and singular that certain parcel or tract of land and premises, situate, lying and being in the Township of Sandwich East, in the County of Essex and Province of Ontario, being composed of a part of concessions one and two, which may be more particularly described as follows.—Commencing at a point in the limit between farm lots one hundred and forty-six (146) and one hundred and forty-seven (147), in the second concession of the Township

of

of Sandwich East, distant twenty-three hundred and eighty feet (2380 ft.) south of the southerly limit of the Tecumseh Road, thence easterly to a point in the centre line of the road between the Township of Sandwich East and the Township of Maidstone, which line intersects the westerly limit of the said road at a point distant fifteen hundred and twenty-six feet (1526 ft.) southerly from the southerly limit of the Tecumseh Road, thence northerly and along the centre line of the road between the Township of Sandwich East and the Township of Maidstone and along the centre line of the road between the Township of Sandwich East and the Town of St. Clair Beach to the waters' edge of Lake St. Clair, thence westerly and along the waters' edge of Lake St. Clair to the limit between farm lots one hundred and forty-nine (149) and one hundred and fifty (150), thence southerly and along the last-mentioned limit to a point in the southerly limit of the Grand Trunk Railway, thence westerly and along the southerly limit of the said railway to the limit between farm lots one hundred and forty-six and one hundred and forty-seven, thence southerly and along the said limit to the place of beginning, containing by admeasurement thirteen hundred acres, more or less.

**3.**—(1) The council of the town shall consist of a mayor, reeve and five councillors. Paul Poisson shall be the first <sup>First</sup>Council mayor. Malcolm Clapp shall be the first reeve and Adhelme Jacques, A. Thomas LeBoeuf, Dennis St. Louis, Everiste Prince and George Cannelle, the first councillors.

(2) The first mayor shall hold office for the remainder of the year 1921 and until his successor is appointed and has taken his declaration of office.

(3) The first reeve shall hold office for the remainder of the year 1921 and until his successor is appointed and has taken his declaration of office.

(4) The first councillors shall hold office for the remainder of the year 1921 and until their successors have been appointed or elected, and have taken their declaration of office.

(5) In case a vacancy occurs from any cause prior to the 31st day of December, 1921, in the office of mayor, reeve or councillors, the council shall forthwith appoint a person to fill the vacancy and he shall hold office for the remainder of the term for which his predecessor was appointed.

**4.** Until the 31st day of December, 1921, the town shall be represented in the council of the county by the mayor only.

Represent-  
ation in  
County  
Council  
5. for 1921.

Removal of  
members of  
Council  
during 1921.

**5.** The Lieutenant-Governor in Council at any time before the 31st day of December, 1921, may remove the mayor, reeve or any councillor and appoint a person to hold office for the remainder of the term of his predecessor.

Preparation  
of  
Assessment  
Roll.

**6.** The council of the said town may pass a by-law for taking the assessment of the said town for the year 1922 between the first day of July and the first day of October, 1921, and if any such by-law shall extend the time for making and completing the assessment rolls beyond the first day of November, 1921, then the time for closing the Court of Revision shall be three weeks from the day to which such time is extended, and the final return by the judge four weeks from that day.

Highways.

**7.** No highway existing at the time of the passing of this Act shall be stopped up or closed before the thirty-first day of December, 1921, without the consent of the Lieutenant-Governor in Council, who shall have full authority to stop up and close any highway on such terms as to diversion or otherwise as shall seem just.

Separation  
from  
Township of  
Sandwich  
East.

**8.** The land comprised in the said town is hereby detached from the Township of Sandwich East, and the town shall form a separate and independent municipality.

Provisions  
of Municipal  
Act, etc., to  
apply.

**9.**—(1) Save as in this Act otherwise expressly provided, all the provisions of *The Municipal Act* and of any other general Act applicable to towns, shall apply to the said town to the same extent as if the said town had been incorporated under the provisions of *The Municipal Act*.

Rev. Stat.,  
c. 192.

Adjust-  
ments,  
assets, and  
liabilities.

(2) The provisions of *The Municipal Act* as to the adjustments of assets and liabilities and as to matters consequent on the formation of new corporations, shall apply as if the said land had been erected into a village under the provisions of that Act instead of a town.

Division  
into Wards  
by Board.

**10.** The Ontario Railway and Municipal Board may divide the town into wards in accordance with *The Municipal Act* after the election of the council for the year 1922 has been held.

Expenses of  
Incorporation.

**11.** The expenses incurred in obtaining this Act and of furnishing any documents, copies of papers, writings, deeds and any matters whatsoever required by the clerk or other officer of the said town or otherwise shall be borne by the said town and paid by it to any person who may be entitled thereto.

**12.** The land comprised in the said town shall be and remain a part of the existing school section for all purposes as though the Act had not been passed, until a by-law approved by the Minister of Education has been passed by the council of the said village for the establishment of an Urban School Board.

Town to remain part of school section until Urban School Board is established.

**13.** Notwithstanding anything in this Act contained, the Township of Sandwich East shall continue to have full power and authority to levy, collect and retain and use for its own purposes all taxes properly levied or assessed or in process of being levied or assessed against any of the lands herein described down to and including taxes for the year 1920, as fully and effectually as if this Act had not been passed.

Tp. of Sandwich East to collect and retain taxes for 1920.

**14.** This Act shall come into effect on the day on which it receives the Royal Assent.

Date when Act comes into force.

## CHAPTER 126.

## An Act respecting the City of Toronto.

*Assented to May 3rd, 1921.*

## Preamble.

**W**HEREAS the Corporation of the City of Toronto has by petition prayed for special legislation in respect of the several matters hereinafter set forth; and whereas it is desirable to validate certain sales of land for arrears of taxes and to remove any doubts that may arise as to the validity thereof; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

9 Edw. VII.  
c. 125,  
s. 2 (10),  
amended.

**1.** Subsection 10 of section 2 of the Act passed in the ninth year of the reign of His late Majesty King Edward VII, chaptered 125, as amended by the Act passed in the fifth year of His Majesty's reign, chaptered 76, is amended by striking out all the words after the word "payment" in the fourth line and substituting the following therefor:—

"He shall also countersign all cheques issued by the City Treasurer on the city's bank accounts, and shall have power from time to time to instruct the Deputy City Auditor to countersign some, or any, of such cheques. He shall also have power to instruct, with the approval of the Board of Control and City Council, one or more members of his staff to countersign some, or any, cheques drawn on the bank accounts created by the City Treasurer solely for the payment of salaries and wages, but no such member shall have power to countersign cheques drawn on any of the general bank accounts of the city, including cheques transferring funds to such bank accounts created solely for the payment of salaries and wages. In the event

of

of the illness or absence of the City Auditor the Deputy City Auditor may countersign all cheques issued by the City Treasurer on the city's bank accounts."

2. Section 11 of the Act passed in the tenth year of the reign of His late Majesty King Edward VII, chaptered 135, is amended by striking out all the words in the first four lines and substituting the following words:—

10 Edw. VII,  
c. 135, s. 11,  
amended.

“For the purposes mentioned in sections 1, 5 and 9, the said council may, without the assent of the electors qualified to vote on money by-laws, and for the purpose mentioned in section 10, the ”

3. Section 1 of the Act passed in the second year of the reign of His Majesty, chaptered 126, is amended by striking out the words “with the assent” in the fifth line thereof and substituting the words “without the assent” therefor.

2 Geo. V,  
c. 126, s. 1,  
amended.

4. The Council of the Corporation of the City of Toronto may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law, or by-laws, for the issue of “City of Toronto General Consolidated Loan Debentures” to raise the sum of \$4,784,967 for the following purposes:—

Power to  
borrow  
\$4,784,967  
for certain  
purposes  
without  
assent of  
electors.

- (1) To defray the excess cost of a relief sewer on Bloor Street, from the Garrison Creek sewer, Willowvale Park to Lansdowne Avenue..... \$103,000
- (2) To erect a new building on the Canadian National Exhibition Association's grounds for the exhibits of The Food Products Association.. 150,000
- (3) Reconstruction of Gerrard Street Bridge and erection of temporary wooden trestle for street car traffic. 832,000
- (4) Reconstruction of North Glen Road Bridge ..... 700,000
- (5) Reconstruction of South Glen Road Bridge . . . . . 450,000
- (6) For purchase of site for proposed new Police Administration Building . . . . . 200,000

(7) For erection of Fire Hall in Ash- bridge's Bay Section .....	40,000
(8) For erection of Reception Hospital .	400,000
(9) For purchase of site for proposed Observation Home .....	25,000

## WORKS DEPARTMENT.

*Roadway Section:*

(10) Asphalt Plant—site, building and equipment .....	140,000
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*Relief Sewers—Sewer Section:*

(11) Additional amount for Ruskin, Antler and Perth Avenues.....	51,700
(12) Additional sum for Sterling Road ..	22,000
(13) Interceptor sewer, Fort Rouille to Bathurst Street .....	314,000
(14) Additional sum for Bloor Street, Bickford Ravine to west of Lans- downe Avenue .....	113,000

*Railway and Bridge Section:*

(15) Construction of street railway line— Prince Edward Viaduct, from Sherbourne Street to Broadview Avenue .....	185,000
(16) Civic Railway—Installation of insu- lated, negative feeder cable—Dan- forth Avenue Line, to prevent elec- trolysis .....	31,350

*Water Supply Section:*

(17) Installation of air chambers on mains, Main Pumping Station ...	55,000
(18) New pumps and connections—Island Water Supply .....	16,000
(19) For clear water reservoir on Island.	750,000

*Water*

*Water Main Extension Section:*

(20) Additional amount—extension of distribution system in district east of Don River and north of Gerrard Street . . . . .	23,400
(21) 30-inch main, Duplex Avenue, from Eglinton Avenue to Glenview Ave.	27,500
(22) 12-inch main, Earls court Avenue, from St. Clair Avenue to Morrison Avenue . . . . .	22,400
(23) 6-inch main, Maclellan Avenue, from Rosedale Road to Inglewood Drive . . . . .	9,100
(24) 12-inch main, Glebemount Avenue, from Danforth Avenue northerly 1,400 feet, as authorized in Report No. 22 of the Board of Control, adopted in Council on November 22nd, 1920 (City's share) . . . . .	4,567
(25) 12-inch duplicate feed main to North Toronto, northerly on Poplar Plains Road, etc., to Yonge Street and Davisville Avenue . . . . .	75,600

*Water Distribution Section:*

(26) Water Works yard and building, north-west corner of Dundas Street and Hamilton Street . . . . .	34,250
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STREET CLEANING DEPARTMENT.

(27) Additional stable, men's room, mess room, office and cart shed at Ramsden Park, west division . . . . .	60,000
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Total . . . . . \$4,784,967

5. No irregularity in the form of any of the debentures issued under authority of this Act or any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action against the corporation for the recovery of the amount thereof or interest thereon or any part thereof.

Tax sales  
and deeds  
confirmed.

6. All sales of lands within the Municipality of the City of Toronto made during the year 1919, purporting to be made by the said corporation for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his assigns, or to the said corporation, shall have the effect of vesting the lands so sold and conveyed in the purchaser or his assigns, or his or their heirs and assigns, or in the said corporation and its successors or assigns, as the case may be, in fee simple, and clear of and from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon, except taxes accruing after those for non-payment whereof the said lands were sold.

Establish-  
ment of play  
grounds on  
highways.

7. The council of the said corporation may, with the unanimous consent of the householders on the property fronting or abutting on any public highway, or highways, in the said City of Toronto, by by-law establish the whole or any part of said highway, or highways, as a play-ground for children during certain hours of each day or each week, and may prohibit vehicular or other traffic upon any highway or portion thereof so established as a play-ground, as aforesaid, during the hours mentioned in such by-law.

Establish-  
ment of  
pension  
fund for  
civic  
employees.

8. The council of the said corporation may by by-law establish a fund to provide for pensions, allowances or gratuities to permanent employees of the corporation upon disability, death or retirement from the service of the corporation, or to relatives or dependents, and may define and limit the class, or classes, of employees to be benefited by said fund, and may provide for the establishment and maintenance of the fund by grants of money or by annual grants of money to be raised each year by taxation and by contributions from the salaries or wages of such employees.

10-11 Geo.  
V, c. 144,  
s. 15,  
amended.

9.—(1) Section 15 of *An Act respecting the City of Toronto*, passed in the tenth and eleventh years of His Majesty's reign and chaptered 144, is hereby amended by adding the following as subsection 2:—

Term of  
debentures.

15.—(2) Notwithstanding anything contained in *The Municipal Act*, or any other Act, the debt to be contracted and the debentures to be issued therefor under any by-law or by-laws from time to time passed by the council under the authority of subsection 1, may be made payable at any

time

time or times, not exceeding forty years, at furthest, from the time when such debentures are issued.

- (a) Where the principal of the debt contracted under any such by-law is made payable at a fixed date, with interest payable annually or semi-annually, it shall not be necessary to raise in the first three years of the currency of the debentures any sum to pay the principal of the debentures, but a specific sum, which, with the estimated interest thereon at a rate not exceeding four per cent. per annum, capitalized yearly, will be sufficient to pay the principal of the debentures, shall be raised in each of the remaining years of the currency of the debentures. Postponement of sinking fund for first three years of term.
- (b) Where the principal of the debt contracted under any such by-law is made payable in annual instalments, it shall not be necessary to make any instalment of principal payable in the first three years of the currency of the debentures, but a specific sum sufficient to pay the interest only, shall be raised in such three years. The instalments of principal shall be made payable during the remaining years of the currency of the debentures. Postponement of payment of instalments on principal for three years.
- (c) Instead of the principal of the debt contracted under any such by-law at any time passed being made payable in the manner authorized by clauses *a* or *b* the principal and the debentures to be issued therefor may be made payable in the manner authorized by the provisions of *The Municipal Act*, respecting money by-laws. Principal and debentures may be paid under provisions Rev. Stat., c. 192, respecting money by-laws.
- (d) The provisions of *The Municipal Act* respecting money by-laws, except in so far as the same are inconsistent with the provisions hereof, shall apply to any by-law passed under the authority of this section. Rev. Stat., c. 192, when provisions apply.
- (e) The foregoing clauses *a*, *b*, and *c* of this section shall apply only to any by-law passed on or before September 1st, 1924. Application of clauses *a* and *b*.

Power to  
raise  
\$150,000 on  
debentures  
for National  
Sanitarium  
Association.

**10.** The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of "City of Toronto General Consolidated Loan Debentures" to raise the sum of \$150,000 for a grant to the National Sanitarium Association.

**11.** To remove doubts it is hereby declared that paragraph 7 of "The Award, Conditions, Tender and By-law" in the agreement set forth in Schedule "A" to the Act passed in the fifty-fifth year of the reign of Her Late Majesty Queen Victoria, Chaptered 99, means that notwithstanding the provisions of *The Municipal Arbitrations Act* the value of the real and personal property of the Toronto Railway Company to be taken over by the Corporation of the City of Toronto under the provisions of the said Act and of the agreement set forth in Schedule "A" thereto, shall be determined by three arbitrators to be appointed as provided in sections 335 and 336 of *The Municipal Act* and subject thereto the said paragraph 7 shall remain in full force and effect.

Corporation  
may lay  
new water-  
mains for  
domestic  
purposes  
and levy  
whole cost  
against  
properties  
fronting  
on the work.

**12.** The said corporation may lay new water-mains to supply water for domestic purposes under the provisions of *The Local Improvement Act* and may levy the whole cost thereof by a frontage tax on the properties fronting or abutting on the work pursuant to the provisions of *The Local Improvement Act*.

Signature  
of head of  
council may  
be engraved,  
etc.,  
on deben-  
tures.

**13.** The signature of the head of the Council of the Corporation of the City of Toronto to any guarantee of the debentures of the Toronto Harbour Commissioners, which the said corporation is authorized to give under the authority of subsection 2 of section 4 of the Act passed in the first year of His Majesty's reign, chaptered 119, may be written, stamped, lithographed or engraved.

Date when  
Act comes  
into force.

**14.** This Act shall come into force upon the day upon which the same shall receive the Royal Assent.

## CHAPTER 127.

## An Act respecting the City of Windsor.

*Assented to April 8th, 1921.*

**W**HEREAS the Corporation of the City of Windsor <sup>Preamble.</sup> has by petition represented that it is desirable and in the interests of the ratepayers of the said corporation and the public generally that all assessment rolls and tax sales and tax deeds made, held and given prior to the 1st day of January, 1921, of lands within the said City of Windsor, should be confirmed, and has requested that an Act may be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**1.** All sales of land within the limits of the City of Windsor, prior to the 1st day of January, 1920, and which purport to be made by the mayor of said corporation and the treasurer thereof for arrears of taxes in respect of lands so sold, executed by the proper officers of the corporation purporting to convey the said lands to the purchasers thereof, or their assigns, are hereby validated and confirmed and shall be deemed to have had the effect of vesting the lands so sold and conveyed or purporting to have been so sold and conveyed in the purchaser or his assigns and his and their heirs and assigns in fee simple and free and clear of and from all right, title and interest whatsoever of the owners thereof, at the time of such sale, or their assigns, and free and clear of and from all charges and encumbrances thereon and dower therein except as to taxes accrued since those for non-payment whereof the said lands were sold. <sup>Tax sales and deeds confirmed.</sup>

**2.** This Act shall apply to cases where the corporation or any one in trust for it or on its behalf became the purchaser or grantee of any such lands. <sup>Case of corporation as purchaser.</sup>

litigation  
not  
affected.  
Pending

**3.** Nothing in this section contained shall affect any action, litigation or other legal proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same effect as if this Act had not been passed.

## CHAPTER 128.

## An Act respecting the City of Windsor.

*Assented to May 3rd, 1921.*

**W**HEREAS the Corporation of the City of Windsor Preamble.  
has by petition represented that section 18 of chapter 58 of the Statutes of Ontario, passed the sixty-first year of the reign of Her late Majesty Queen Victoria, as amended by section 1, clause (d) of the Statutes of Ontario, chapter 111, passed the fourth year of the reign of His Majesty King George the Fifth, should be amended owing to the increase in population of the City of Windsor and the consequent necessity of greater expenditure in extension of water works so as to authorize the Council of the City of Windsor, when requested by the Water Commissioners, to raise by by-law, without submitting the same to the ratepayers, any sums not exceeding one hundred and fifty thousand dollars (\$150,000) instead of fifty thousand dollars (\$50,000) for waterworks purposes as in said Act set forth; and whereas it is deemed expedient to grant the prayer of the said corporation:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 18 of chapter 58 of said Act, passed in the sixty-first year of the reign of Her late Majesty Queen Victoria, as amended by clause (d) of section 1 of chapter 111 of said Act, passed in the fourth year of the reign of His Majesty King George V. is hereby further amended by striking out the word "fifty" in the 45th line and substituting therefor the words "one hundred and fifty."  
<sup>61 Vic.,</sup>  
<sup>c. 58, s. 18,</sup>  
<sup>amended.</sup>

## CHAPTER 129.

An Act to establish a joint Industrial and Technical  
School Board for the City of Windsor and the  
Town of Walkerville.

*Assented to April 8th, 1921.*

## Preamble.

**W**HEREAS the electors of the City of Windsor and the Town of Walkerville have each approved of the establishing of a joint industrial and technical school for the City of Windsor and the Town of Walkerville, the cost of erection and equipment of the school building to be borne by the Province of Ontario and the said city and town in certain shares, as provided in *The Industrial Education Act* and the regulations relating thereto, and the cost of maintenance to be provided by the said municipalities with the assistance of any public grants which may be payable for such purposes.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

## Short title.

**1.** This Act may be cited as *The Windsor and Walkerville Industrial and Technical School Act*.

School district—  
how con-  
stituted.

**2.** The municipalities of the City of Windsor and the Town of Walkerville and such other neighbouring urban municipalities as may hereafter be admitted are hereby declared to constitute a school district for the purpose of erecting and maintaining a technical and industrial school for this district authorized under *The Industrial Schools Act* and amendments thereto.

Rev. Stat.,  
c. 271.Joint  
board of  
trustees;  
member-  
ship.

**3.** There shall be a joint board of industrial and technical school trustees for the City of Windsor and the Town of Walkerville, hereinafter called the "Board" to be composed as follows:—Two members to be appointed by each of the Board of Education and Separate School Board of the City of Windsor, and two members to be appointed by each of the Public and Separate School Boards of the Town of

Walkerville,

Walkerville, one at least of said two members to be a member of the respective appointing boards and such other members as may be appointed under the provisions of this Act; the members shall be appointed at the first meeting of the School Boards after the annual municipal election, and one of each of the members appointed by any board at the time of the first appointment shall hold office for one year and the other for two years, but after the first appointment each member shall be appointed for two years, provided, however, that this section shall not necessarily apply to members representing added municipalities.

4. The board so created shall have the powers of the Boards of Education and the Public and Separate School Boards for the said district for the purposes of *The Industrial Schools Act* and the amendments thereto, and shall be a corporation by the name of Industrial and Technical School Board of the City of Windsor and the Town of Walkerville, and may adopt a corporate seal.

Incorporation.

Rev. Stat., c. 271.

5.—(1) The council of any municipality included within the district, on the application of the board, may pass a by-law for borrowing money by the issue and sale of debentures for the purchase of a site and the erection of a school and for extensions, equipment, improvements, repairs or furnishings, and it shall not be necessary that the by-law shall be submitted to the electors for their assent, but the council of the municipalities instead of passing such by-law may, if requested by the board, submit the same to a vote of the electors qualified to vote on money by-laws under *The Municipal Act*, and on the assent of such electors being obtained shall pass the by-law and issue such debentures if the other municipalities are likewise providing their share.

Power of council to borrow money on debentures — consent of electors.

(2) The debentures may be for such amount and run such number of years, not exceeding thirty, as the council may see fit.

Amount and terms of debentures.

(3) The amounts to be raised respectively by the council of each municipality in the district for the said purposes shall be the proportion borne by the population of such municipality to the total population of the municipalities then in the district which shall be determined by the certificates of the last enumerations by the respective assessors.

Apportionment between municipalities.

6. The Municipal Corporations of the City of Windsor and the Town of Walkerville and any added municipalities shall contribute to the maintenance and improvements to the said

Contribution for maintenance, etc. — request by board.

said school in proportion to the respective populations of the municipalities as determined by the last enumeration of the respective assessors of said municipalities and each council upon the request of the board shall levy and collect in each year in its municipality the amount as so determined in the same manner as other municipal taxes.

Admission  
of neigh-  
boring  
urban muni-  
cipalities.

7. The said board may, subject to the approval of the Minister of Education, by by-law provide for the admission to the district of any neighbouring urban municipality and such by-law shall set out the financial terms upon which admission is to take place and provide for representation upon the board, and from and after such admission the said board shall have the same powers in the added municipality as are by this Act given to it within the City of Windsor and Town of Walkerville.

Approval  
by electors  
before  
admission.

8.—(1) The admission of a neighbouring municipality shall not take place until the electors of that municipality qualified to vote on money by-laws have signified their approval of such admission, and the council of such municipality has passed a by-law to raise the sum necessary to obtain the admission, which the said council is hereby authorized to do without a further vote of the electors:

Payment  
of money  
to board.

(2) The money so to be raised by an added municipality shall be paid over to the said board and shall be applied for the purposes of extension, improvements, furnishings, equipment or repairs or in the discretion of the board in reduction of the debentures already issued in respect of said school.

When to  
take effect.

9. This Act shall come into force and take effect on the day on which it receives the Royal Assent.

## CHAPTER 130.

## An Act respecting the Township of York.

*Assented to May 3rd, 1921:*

**W**HEREAS the Corporation of the Township of York <sup>Preamble.</sup> has by its petition represented that it is in the interests of the corporation that all tax sales and tax deeds made prior to the 31st day of December, 1919, should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1.—(1) All sales of lands within the Township of York made prior to the 31st day of December, 1918, which pur- <sup>Tax deeds prior to December 31st, 1918, confirmed.</sup> port to have been made by the corporation of the said township for arrears of taxes in respect to lands so sold for which tax deeds have been issued by the said corporation are hereby validated and confirmed and all deeds of lands so sold executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his, her or their assigns are hereby validated and confirmed, and shall have the power of vesting the lands so sold or conveyed or purporting to be sold or conveyed, and the same are hereby vested in the purchaser, or his, her or their assigns in fee simple, free and clear of and from all title or interest whatsoever of the owner or owners thereof at the time of such sale or his, her or their assigns, and all charges or encumbrances thereon and dower therein, except taxes accrued since those for which payment whereof the said lands were sold.

(2) Subsection 1 of this section shall extend and apply to cases where the said township or any person or persons in trust for it, or in its behalf became the purchaser of lands at any such tax sale. <sup>Application of subs. 1 to purchases by the corporation.</sup>

(3) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. <sup>Section not to affect pending litigation.</sup>

## CHAPTER 131.

## An Act respecting the Lake Huron and Northern Ontario Railway Company.

*Assented to April 8th, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Time for  
completion  
extended.

1. Notwithstanding anything contained in the Acts respecting The Lake Huron and Northern Ontario Railway Company, the time for the completion of the railway of the company is extended and shall be deemed to have been extended for a period of one year from the date of the passing of this Act.

## CHAPTER 132.

## An Act respecting the Northern Light Railways Company.

*Assented to May 3rd, 1921.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

**1.** This Act may be cited as *The Northern Light Railways Act, 1921.* **Short title.**

**2.** Section 2 of the Act to incorporate The Northern Light Railways Company, being chapter 152 of the Statutes of Ontario, 1920, is amended by striking out all the words therein after the words “to a point at or near Boston Creek Station on the Temiskaming and Northern Ontario Railway” and inserting in lieu thereof the following: “a line commencing at some point at or near Swastika Station in the Township of Teck, running westerly and south-westerly through the Townships of Eby, Burt, Holmes, Alma, Flavell, Cairo and Powell to a point at or near Fort Matachewan in the Township of Powell, with power to construct branches or extensions at different points along any of the said railways hereinafter described to connect with the Temiskaming and Northern Ontario Railway and any other railways that may be built; and to survey, lay out, construct, complete, equip and maintain light, narrow gauge railways to be operated by steam, electricity or other motive power in the Island of Manitoulin from a point in or near the Town of Little Current through the Townships of Howland, Bidwell, Sheguiandah and Assiginack to a point at or near Manitowaning on Manitowaning Bay, and from a point at or near the Town of Little Current through the Townships of Howland, Bidwell, Billings, Carnarvon, Campbell, Mills, Allan and Gordon or any of them passing to the south of Lakes Mindemoya and Kagawong to a point in or near the Town of Gore Bay.”

1920,  
c. 152, s. 2,  
amended.  
Additional  
lines  
authorized.

Time for  
commence-  
ment and  
completion  
of works on  
Manitoulin  
Island.

3. Unless the works by the amendment made in section 2 authorized to be constructed on the Island of Manitoulin are commenced before the 1st day of March, 1922, the powers hereby conferred as to such works shall cease and be at an end and unless the said works in the Island of Manitoulin are completed within two years from the said date the powers so conferred shall cease and be at an end as to any part of the said works then incompletd.

## CHAPTER 133.

An Act to incorporate the Provincial Synod of Ontario of the Church of England in Canada, and to make provisions respecting Vestry Meetings.

*Assented to April 8th, 1921.*

**W**HEREAS the Provincial Synod of the Church of Preamble.  
England in Canada for the Ecclesiastical Province of Ontario is composed of the Archbishop and Bishops of the said Church in the Province of Ontario and of clerical and lay delegates from all the dioceses of the said Church in the said Province; and whereas a petition has been presented praying that the said provincial synod may be incorporated; and whereas by an Act passed by the Parliament of the late Province of Upper Canada in the third year of the reign of Her late Majesty Queen Victoria, chaptered 74, and intituled "An Act to make provisions for the management of the Temporalities of the United Church of England and Ireland in this province and for other purposes therein mentioned" and commonly known and hereinafter referred to as *The Church Temporalities Act*, it was provided that a meeting of the vestry of every church within the meaning of the said Act should be holden on Monday in Easter Week in each and every year for the election of church wardens, and it was further provided that the members of such vestry at the said meeting as aforesaid should have power to make by-laws for the regulation of their proceedings and for the management of the temporalities of the church or parish to which they belong; and whereas the said Provincial Synod of the Church of England in Canada for the Province of Ontario has by its petition prayed that the said Act of the late Province of Upper Canada should be amended so as to enable the synods of the several dioceses of the said church within the Province of Ontario from time to time to fix the date at which the vestry meetings should or might be held within each of the said dioceses respectively; and whereas it is expedient to grant the prayer of the said petition:

Therefore,

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Incorporation of Provincial Synod.

1. The Provincial Synod of the Church of England in Canada for the Province of Ontario is hereby declared to be a body corporate under the name and style of "The Provincial Synod of the Church of England in Canada for the Province of Ontario," hereinafter called "The Provincial Synod."

Power to acquire and hold land, etc.

2. The said provincial synod may acquire, receive, take and hold by purchase, gift, devise and bequest, land or personal property or any estate or interest therein and may use, enjoy, sell, transfer, dispose of, mortgage or hypothecate the same or any part thereof and may apply the proceeds of such property for the purposes of the said church subject to the terms of any trust on which the same may have been received or are held, and any devise of real estate shall be subject to the laws respecting the devises of real estate to religious corporations in force at the time of such devise.

Power to pass canons re vestry meetings.

3. Notwithstanding anything contained in the said *The Church Temporalities Act* or in any Act amending such Act the Synod of any Diocese of the said Church of England in Canada in the Province of Ontario may from time to time pass a canon or canons and may from time to time repeal or amend the same providing that the meetings of vestries for the election of church wardens whether of pewed or of free churches within the diocese, may or shall be held at such time or times as shall be mentioned in the said canon or canons.

By-laws for regulation of proceedings of vestry meetings.

4. It shall be in the power of the members of vestries of either pewed or free churches at such meetings as aforesaid to make by-laws for the regulation of their proceedings and the management of the temporalities of the church or parish to which they belong; provided that the same shall not be repugnant to any law or statute in force in this province or contrary to any Canon of the Church of England in Canada.

## CHAPTER 134.

## An Act respecting McMaster University.

*Assented to April 8th, 1921.*

**W**HEREAS McMaster University has, by its petition, Preamble. represented that by its Act of Incorporation, being chapter 95 of the Acts passed in the 50th year of the reign of Her late Majesty Queen Victoria, the said university is restricted as to the value of the lands it may hold, and also as to the period of time during which it may hold the same; and that as certain portions of the endowment funds of the said university are invested upon the security of lands, it is desirable that the said university shall not be so restricted; and whereas the said university has prayed that the said Act of Incorporation be amended by removing such restrictions; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. Section 2 of the Act entitled *An Act to unite Toronto Baptist College and Woodstock College under the name of McMaster University*, passed in the 50th year of the reign of Her late Majesty Queen Victoria is amended by striking out the words, “not exceeding the annual value of \$10,000, such annual value to be calculated and ascertained with reference to the period of taking, purchasing, or acquiring the same,” in the seventeenth, eighteenth, nineteenth and twentieth lines thereof, and also by striking out the remainder of the section commencing with the word “provided” in the 31st line thereof, viz.: “Provided always that the real estate not required for use and occupation or for the residences of the chancellor, principals, professors, tutors and students as aforesaid shall not at any time be held by the said university for a longer period than seven years, and that any such real estate not sold and alienated within seven years of the time when the same is received by the said corporation shall revert to the party from whom it came to the corporation or to his or her heirs or devisees.” 50 Vic., c. 95, s. 2, amended.

2. Nothing in this Act contained shall authorize the Corporation of McMaster University to engage in the business of trading in real estate. Corporation not to carry on real estate business.

CHAPTER

## CHAPTER 135.

## An Act respecting Sons of England Benefit Society.

*Assented to April 8th, 1921.*

Preamble.

**W**HEREAS the Sons of England Benefit Society, a Friendly Society registered under *The Ontario Insurance Act*, has, by petition, represented that it adopted at its last Supreme Lodge, General Session, held in Hamilton on the 12th, 13th, 14th and 15th days of August, 1919, an amendment to its Constitution authorizing a reduction in value by the Society of the beneficiary certificates or policies issued by the Society to the members of its beneficiary department who joined such department prior to the 1st January, 1915, by reason of the insufficiency of the contributions or assessments previously paid by such members in respect of said certificates, but allowing such members as an alternative to pay to the Society the difference in cash between the face value of said certificates and such reduced value, thereby retaining such certificates at the original face values thereof; and whereas doubts have arisen as to the legality of such amendment in reducing the value of said certificates, in preference to increasing the tariff of contributions payable in respect of said certificates, and as to the insufficiency of the notice given to the members holding said certificates; and whereas the said Society has, by its petition, further represented that said amendment authorizing said reduction in value of said certificates, with the alternative aforesaid, was necessary in the interest of the said department and society, and further was preferable, in the opinion of the members of said department, to an increased tariff of contributions payable in respect of said certificates; and whereas each member of said department was duly notified of the amount of such reduction in respect of his certificate, some members accepting said alternative in preference to such reduction; and whereas the said Society has, by its petition, prayed that an Act be passed to validate and confirm said reduction in value of said certificates with the alternative aforesaid, in accordance with the values determined by its Supreme Council, and so notified as aforesaid; and whereas no protest has been filed with said Society by any member of said department against said amendment which came into effect on the 1st day of January, 1920, and

no

no opposition has been offered to the said petition; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,—

(a) "Society" shall mean the Sons of England Benefit <sup>Interpre-</sup>  
Society; <sup>tation.</sup>

(b) "Reduction in value" shall mean the amounts of reduction of said certificates as determined by the Supreme Council of said Society, pursuant to said amendment of Constitution.

2. Notwithstanding anything contained in the Constitu- <sup>Reduction</sup>  
tion of the Society or in the contract of insurance to the con- <sup>in value of</sup>  
trary the reduction in value of the amounts of said certi- <sup>certificates</sup>  
ficates and the decreased benefits payable in respect thereof, <sup>confirmed.</sup>  
as authorized by the Society under said amendment so adopted at its said Supreme Lodge Session held on the 12th, 13th, 14th and 15th days of August 1919, and now contained and printed in the Constitution of the Society, 1919 edition, a copy of which amendment has been certified by the Registrar of Friendly Societies and filed in the office of the Registrar-General, are hereby confirmed and validated, and the said reduction in value of said certificates and the said decreased benefits payable thereunder by the Society, except to those who may have adopted said alternative, are hereby declared to be conclusive, binding and obligatory as of the 1st day of January, 1920, upon all persons who, prior to the 1st day of January, 1915, became and are members of the said beneficiary department of said Society and upon their beneficiaries and legal representatives.

3. The Society is hereby authorized and empowered to <sup>Authority</sup>  
hereafter vary and amend the said reduced value of said <sup>to amend</sup>  
beneficiary certificates, as well as its tariff of contributions, <sup>reduction</sup>  
as the financial solvency of the Society and its said benefi- <sup>and tariff.</sup>  
ciary department and circumstances may require, according to law, and the provisions (if any) of the constitution of the Society respecting amendments to its constitution.

4. Nothing in this Act shall affect the costs of any action <sup>Costs.</sup>  
or other proceeding now pending, but the same may be awarded and disposed of and shall be taxed and payable as though this Act had not been passed.

## CHAPTER 136.

## An Act respecting the Beechwood Cemetery Company of Ottawa.

*Assented to May 3rd, 1921.***Preamble.**

**W**HEREAS The Beechwood Cemetery Company, of the City of Ottawa, was incorporated by an Act passed in the thirty-sixth year of the reign of Her late Majesty Queen Victoria, chaptered 149, for the purpose of establishing a public cemetery with the powers therein conferred on the said company; and whereas the said company has by its petition prayed that the said Act of incorporation may be amended as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

36 V, c. 149,  
s. 6,  
repealed.

1. Section 6 of the Act of Incorporation, passed in the thirty-sixth year of the reign of Her late Majesty Queen Victoria, chaptered 149, is hereby repealed and the following substituted in lieu thereof:—

Number of  
directors,—  
their  
election,  
term of  
office, and  
duties.

6. The said company may by by-law, from time to time, fix the number of its directors, provided that at no time shall the number of such directors be fixed at more than five or less than three, of whom three shall form a quorum. The said directors shall be elected from among the stockholders of the said company, and shall hold office for one year, or until their successors have been elected; and it shall be the duty of such directors to manage all the affairs of the company; and at the end of their term of office to render a full report of the condition and affairs of the company.

## CHAPTER 137.

## An Act respecting Fecunis, Limited.

*Assented to May 3rd, 1921.*

**W**HEREAS Lewis A. McElroy, of the City of Erie, in Preamble.  
the State of Pennsylvania, one of the United States  
of America, manufacturer; Burton S. Fletcher, of the same  
place, manufacturer; Robert C. McClenathan, of the same  
place, Esquire; Robert J. Copeland, of the City of Toronto,  
in the County of York, manufacturer; and John Alexander  
McEvoy, of the City of Toronto, aforesaid, barrister-at-law,  
have by their petition prayed for an Act of incorporation  
under the name of Fecunis, Limited, for the purposes and  
with the powers hereinafter set forth, and it is expedient  
to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:—

**1.** Lewis A. McElroy, Burton S. Fletcher, Robert C. Incorporation.  
McClenathan, Robert J. Copeland and John A. McEvoy,  
and such other persons and corporations as shall hereafter  
become shareholders of the company hereby incorporated  
are hereby constituted a body corporate and politic under  
the name of Fecunis, Limited, hereinafter called the com-  
pany.

**2.** The first five persons mentioned in the next preceding Provisional  
section shall be the provisional directors of the company. directors.

**3.** The capital stock of the company shall be one million Capital  
dollars (divided into ten thousand shares of the par value stock.  
of one hundred dollars each).

**4.** The head office of the company shall be at the City Head  
of Toronto in the Province of Ontario. office.

Powers.

**5. The company may—**

Mining.

(a) Acquire, own, lease, prospect for, open, explore, develop, work, improve, maintain, manage and operate mines and mineral lands and deposits, including oil and gas lands and deposits, and dig for, raise, crush, wash, smelt, assay, analyze, reduce, amalgamate, refine, pipe, convey and otherwise treat ores, metals and minerals, including oil and gas, whether belonging to the company or not, and render the same merchantable, and may sell or otherwise dispose of the same, or any part thereof, or interest therein, and carry on the business of makers and dealers in iron, steel and alloys;

Patent rights.

(b) Acquire patent rights, letters patent of invention or any interest therein, processes, options, powers, water and other rights and privileges and such other real and personal property as it may require for the purposes of its business and again dispose thereof.

Steam vessels.

(c) Construct, acquire, navigate and employ steam and other vessels for the purpose of transporting the produce of its mines, mills and works.

Timber.

(d) Acquire by purchase or lease, timber lands, timber licenses or timber, and sell and dispose thereof, manufacture and sell timber and lumber of all kinds and the products thereof, and acquire any properties that may be necessary for the working thereof, and acquire and dispose of any mills or other facilities necessary for the said business.

Rev. Stat., c. 178.

(e) Exercise and shall possess all the incidental and ancillary powers to the foregoing set out in subsection 1 of section 23 and in section 24 of *The Ontario Companies Act*.

Rev. Stat., c. 178.

**6.** Parts I, II, III, IV, V, VI, VII, VIII, IX and X, of *The Ontario Companies Act* shall, except where inconsistent with this Act, apply to the Company.

Tramways.

**7.** The company is hereby authorized and empowered to survey, lay out, construct, complete, equip, maintain and operate a tramway to be operated by steam or electricity or partly the one and partly the other, from a point

at

at or near the Canadian Pacific Railway, in the Township of Dowling, in the District of Sudbury, thence through the Townships of Dowling, Levack, Morgan, Foy, Lumsden, Bowell and Wisner to a point at or near the Canadian National Railways in the said Township of Wisner.

8. The company shall have and possess all the powers contained in *The Ontario Railway Act*, for the construction and operation of any tramway authorized by this Act and all the provisions of *The Ontario Railway Act*, where not inconsistent with this Act, shall apply to the construction of the tramway authorized by this Act and to the operation thereof when constructed.

Application  
of provisions of  
Rev. Stat.,  
c. 185.

9. The company is hereby authorized and empowered to construct, equip, maintain and operate lines of wire, conduits and other works upon and along the right of way of any tramway constructed by it for the purpose of furnishing, conveying, conducting or obtaining compressed air or electricity or both for its lighting, heating and motor purposes.

Authority  
to construct  
lines of wire.

## CHAPTER 138.

## An Act respecting The Goodyear Tire and Rubber Company of Canada, Limited.

*Assented to May 3rd, 1921.*

## Preamble.

**W**HEREAS The Goodyear Tire and Rubber Company of Canada, Limited, has by petition represented that it is a company duly incorporated under *The Ontario Companies Act* by Letters Patent dated the second day of December, one thousand nine hundred and nineteen, with an authorized capital stock of \$30,000,000, divided in to 300,000 shares of \$100 each, of which \$15,000,000 (150,000 shares) is seven per cent. cumulative preferred stock; and whereas there is now issued and outstanding \$4,500,000 of the cumulative preferred stock and \$5,332,000 of the common stock; and whereas the company has present debts and obligations as set out in the preliminary part of the scheme of arrangement schedule to this Act; and whereas a scheme of arrangement has been prepared by and between the said company, its creditors and its stockholders providing for funding certain indebtedness into prior preference stock, and extending the time for payment of other indebtedness and for carrying out its obligations; and whereas the said scheme of arrangement provides that it is not to become effective until it has been approved by at least 60 per cent. in amount of the holders of common stock of the company, by at least 60 per cent. in amount of the holders of preferred stock of the company, by 75 per cent. of the holders of the company's notes, its rubber commitment creditors, its fabric commitment creditors, and by The Goodyear Tire and Rubber Company of Akron, Ohio; and whereas the company by its petition prayed that an Act should be passed ratifying and confirming the said scheme; and whereas it is expedient to grant the prayer of the said petition:

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

- 1.** The scheme of arrangement set out in the schedule to this Act is hereby ratified and confirmed and declared to be legal, valid and binding upon The Goodyear Tire and Rubber Company of Canada, Limited, and the shareholders thereof, and all other persons directly or indirectly affected thereby in all respects whatsoever as if the said scheme of arrangement and each and every clause thereof were set out at length and enacted in this Act; and the said company is hereby authorized and empowered to do and perform all acts, matters and things necessary to give full effect to the said scheme of arrangement.
- 2.** Except where inconsistent with the provisions of this Act, the provisions of *The Ontario Companies Act* shall apply to the company.
- 3.** This Act shall come into force and take effect when so declared by proclamation of the Lieutenant-Governor in Council.

Scheme of  
arrange-  
ment con-  
firmed.

Provisions  
of  
Rev. Stat.,  
c. 178, to  
apply where  
not in-  
consistent.

Commence-  
ment of Act.

## SCHEDULE.

THE GOODYEAR TIRE AND RUBBER COMPANY OF  
CANADA, LIMITED.

## SCHEME OF ARRANGEMENT—PRELIMINARY.

The capital of The Goodyear Tire and Rubber Company of Canada, Limited, is as follows:—

1. Seven per cent. cumulative preference stock, authorized \$15,000,000, divided into 150,000 shares of \$100 each; issued and held by the public, \$4,500,000.

By the conditions governing the preferred stock the company is required at all times to maintain the net quick assets to an amount which shall not be less than 115 per cent., and net tangible assets (including the total net quick assets) which shall not be less than 200 per cent. of the total par value of the preferred stock from time to time outstanding, and no additional shares of preferred stock in excess of the aggregate par value of \$5,000,000 shall be issued unless the total net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the preferred stock then outstanding, and of the further amount so proposed to be issued. The stock is subject to redemption on any interest date at 110 per cent. and commencing with January 1, 1923, and during each following year the company is required to redeem and cancel at least two and one-half per cent. of the largest amount of preferred stock theretofore at any time outstanding. The holders of preferred stock are not entitled to a vote unless default is made under the terms and conditions applicable to the preferred stock. Preferred stock is preferred both as to dividends and as to capital. No mortgage or lien on the real estate, machinery or fixed assets of the company can be given, nor can any bond, debenture or other evidence of indebtedness secured thereon be made without the approval of at least 75 per cent. of the preferred stockholders of the company then outstanding. No dividend shall be paid on the common stock unless all accumulated arrears of dividend, if any, on the preferred stock then outstanding for any previous year or quarter thereof are provided for, all preferred stock required to be redeemed has been so redeemed, and the company has a surplus of undivided profits over and above the dividend so proposed to be paid sufficient to provide for the dividend on preferred shares then outstanding for a full period of two years and from and after January 1, 1923, sufficient to provide also for the redemption of the preferred stock as hereinbefore provided, and after providing for the said surplus of undivided profits the net quick assets of the company are equivalent to at least 115 per cent. and the net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the stock then outstanding.

2. Common stock authorized \$15,000,000, divided into 150,000 shares of \$100 each; issued and held by the public, \$5,332,000.

Of the 53,320 issued shares, 40,518 shares are held by The Goodyear Tire and Rubber Company of Akron, Ohio.

3. Balance sheet (estimated) as of March 31, 1921:—

## ASSETS.

*Plant and Property—*

Real estate, buildings, machinery, equipment, furniture and fixtures .....	\$6,829,969 97
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*Inventory and Current Assets—Inventory—*

Advance to shippers .....	\$125,000 00
Bowmanville factory .....	650,000 00
New Toronto factory .....	5,500,000 00
Branches .....	1,850,000 00

Total .....	\$8,125,000 00
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*Accounts*

*Accounts Receivable—*

Customers .....	\$3,736,675 64
Miscellaneous .....	300,000 00
Total .....	\$4,036,675 64

*Cash—*

In bank .....	\$54,779 12
On hand, home office and branches..	40,501 09
Advances to employees .....	8,500 00

Total ..... \$103,780 21

Total inventory and current Assets..... \$12,265,455 85

*Investments—*

Bowmanville realty advances .....	\$11,000 00
Home Construction Company advances .....	1,074 31
Notes, rec. officers and employees.....	32,098 00
Other investments .....	13,714 19
Stock redemption account .....	434,000 00

*Deferred Charges to Operation—*

Interest paid in advance .....	\$42,000 00
Insurance unearned .....	30,000 00
Rent paid in advance .....	1,600 00
	73,600 00

\$19,660,912 32

## LIABILITIES.

*Capital Stock—*

Preferred stock authorized.....	\$15,000,000 00
Preferred stock unissued .....	10,500,000 00
Preferred stock issued .....	\$4,500,000 00
Common stock authorized .....	15,000,000 00
Common stock unissued .....	9,668,000 00
Common stock issued .....	5,332,000 00

*Current Liabilities—*

Accounts payable .....	\$450,000 00
Akron .....	375,000 00
Acceptances against letter of credit.	420,345 55
	\$1,245,345 55

*Notes Payable—*

Banks (secured) .....	\$1,660,000 00
Miscellaneous .....	213,966 42
Goodyear, Akron <del>and</del> (including notes transferred by it) <del>and</del> .....	3,703,864 83

Total current liabilities ..... \$6,823,176 80

Payment on Employees' Preferred Stock	33,766 26
Reserve for 1918-1919 War Tax.....	950,000 00

*Reserves—*

For depreciation, plant and machinery .....	\$678,533 79
For doubtful accounts .....	129,010 49
For redemption of premiums .....	346,411 20
For possible decline in market value	540,000 00
For sundries .....	88,127 03

Total reserves ..... 1,782,082 51

Surplus ..... 239,886 75

\$19,660,912 32

COMMITMENT

## COMMITMENT LIABILITIES.

(Not included on either side of the above balance sheet).

Building extension .....	\$110,000 00
Letter of credit .....	480,000 00
Rubber on contract .....	684,000 00
Fabric on contract .....	4,880,000 00
	<hr/>
	\$6,154,000 00

No provision is made in the above statement of assets for depreciation of fabric, rubber or manufactured goods in hand or under contract. The value (cost price) of manufactured goods is \$4,500,000, of raw material on hand \$3,500,000, of fabric and rubber contracted for \$6,044,000.

To depreciate manufactured goods 15 per cent. and raw material 50 per cent. would entail a loss to be written off of \$5,450,000, and in the opinion of the management of the company this would be more than sufficient to meet the situation. By reducing the par value of the common stock from \$100 per share to \$10 per share, a contingent reserve fund of \$4,798,600 will be created which, with the reserve of \$540,000 (already set up as shown in statement of liabilities above) gives a total reserve of \$5,338,600.

## RECAPITALIZATION.

## 1. Common stock—150,000 shares of \$10 each, \$1,500,000.

The changing of the par value of 53,320 shares now outstanding from \$100 each to \$10 each, will enable the company to establish a contingent reserve fund of \$4,798,600 to take care of any loss that may accrue from operation on the present cost of manufactured and raw materials.

## 2. Six per cent. cumulative prior preference stock, divided into 45,000 shares of \$100 each, \$4,500,000.

The holders of prior preference shares shall be entitled to and will receive quarterly as and when declared by the board of directors, cumulative dividends at the rate of six per cent. per annum out of the surplus profits of the company in each year from the first day of January, 1921, or from such later date as the respective shares may be issued in preference to and with priority over any payments of dividends upon the preferred stock, or common stock. In the event of the liquidation, dissolution or reorganization by way of amalgamation or otherwise of the company or of any distribution of its assets other than by way of dividends out of the surplus profits arising from the conduct of its business, and in the case of the liquidation or dissolution on account of insolvency the holders of prior preference stock shall be entitled to be paid the par value of their shares plus accrued and unpaid dividends thereon out of the assets of the company before any distribution is made to the holders of preferred stock or common stock.

Principal and dividends on prior preference shares shall be payable in United States currency so long as the holder thereof is, or in the opinion of the board of directors is, domiciled or *bona fide* resident therein, and the decision of the board of directors in their sole discretion as to *bona fide* beneficial ownership and as to the domicile or residence of such holder shall be final.

The company shall have the right at its option upon any dividend paying date on notice as hereinafter provided, to redeem all or any portion of the said prior preference stock at the par value thereof plus accrued and unpaid dividends thereon, and in case

less than all the shares are being redeemed, the respective shares to be redeemed shall be selected by lot in such manner as the board of directors in its sole discretion shall by resolution determine.

For sinking fund provision, voting rights and notice of redemption, see terms below under heading "General Terms Affecting Prior Preference Stock and Preferred Stock."

3. Seven per cent. cumulative preferred stock, divided into 150,000 shares of \$100 each, \$15,000,000.

The holders of preferred stock shall be entitled to and will receive quarterly as and when declared by the board of directors cumulative dividends at the rate of seven per cent. per annum out of the surplus profits of the company in each year from the first day of January, 1921, or from such later date as the respective shares have been or may be issued in preference to and with priority over any payments of dividends upon common stock. In the event of the liquidation, dissolution or reorganization by way of amalgamation or otherwise of the company or of the distribution of its assets other than by way of dividends out of the surplus profits, arising from the conduct of its business, and in the case of the liquidation or dissolution on account of insolvency, the holders of preferred stock shall, subject to the rights of holders of prior preference stock, be paid the par value of their shares plus accrued and unpaid dividends thereon out of the assets of the company before any distribution is made to the holders of common stock.

Dividends on preferred stock shall be paid at the option of the holder (said holder being the *bona fide* beneficial owner) in the currency of the country in which such holder is, or in the opinion of the board of directors is, domiciled or *bona fide* resident, provided the premium of exchange does not exceed five per cent., and the decision of the board of directors, in their sole discretion, as to *bona fide* beneficial ownership and as to the domicile or residence of such holders shall be final.

The company shall have the right at its option (after the whole of the prior preference stock shall be redeemed) to redeem in Canadian currency all or any portion of the said preferred stock at 110 per centum of the par value thereof plus accrued and unpaid dividends thereon and in case less than all the shares are being redeemed, the respective shares to be redeemed shall be selected by lot in such manner as the board of directors in its sole discretion shall by resolution determine.

For sinking fund provision, voting rights, and notice of redemption, see terms below under heading "General Terms Affecting Prior Preference Stock and Preferred Stock."

4. General Terms Affecting Prior Preference Stock and Preferred Stock.

During the six months following the end of each financial year of the company and until the whole of the prior preference stock shall have been redeemed, the company shall apply ten per cent. of its surplus earnings remaining after paying thereout fixed charges and dividends on its prior preferred stock and preferred stock then outstanding (including arrears thereof, if any), in the redemption of prior preference stock at a price under the par value thereof plus accrued and unpaid dividends thereon if same can be purchased for such price by tender (which shall be called for by advertisement published once a week for two consecutive weeks in a daily paper in the cities of New York, N.Y., Toronto, Ontario, and Montreal, Quebec), and if it cannot be so purchased for such

a price by March 31 in any year then it shall be called in and redeemed on the first day of June next succeeding at par plus accrued and unpaid dividends thereon by lot as above provided; Provided that after application of the said ten per cent. there will remain a balance of said surplus earnings of at least \$500,000; and to the extent to which there shall be a balance of the said surplus earnings so remaining of upwards of \$500,000 then to the extent by which earnings exceed \$500,000 (but not exceeding the amount applied to the redemption of prior preferred stock so long as any of the same remains unredeemed and thereafter not exceeding 10 per cent. of the said surplus earnings) the company shall redeem and cancel preferred stock at a price under the par value thereof plus accrued and unpaid dividends thereon if the same can be purchased by tender as aforesaid for such a price, and if it cannot be so purchased then it shall be called in and redeemed at the price of the par value thereof plus accrued and unpaid dividends thereon.

In all cases of redemption of prior preference stock and preferred stock, notice shall be given by registered letter directed to the respective stockholders whose stock is chosen for redemption, to their respective addresses appearing on the books of the company, mailed postage prepaid at least thirty days prior to the date fixed for redemption; on or before the said date the holders of preferred stock so called for redemption shall deposit with the secretary of the company, at the head office thereof, for cancellation (and the substitution of new certificates for his redeemed holding, if any), the certificates for the said stock duly endorsed, in default of which the stock may be cancelled on the books of the company upon the company paying the amount due thereon on redemption into a chartered bank at Toronto to the credit of the said holders.

No dividend shall be paid on the common stock of the company unless—

(a) All accumulated arrears of dividend, if any, on the preferred stock of both classes then outstanding for any previous year or quarter thereof, are paid or provided for;

(b) All preferred stock of both classes required to be redeemed under the foregoing provisions has been so redeemed or sufficient money to redeem the same has been set apart;

(c) The company has a surplus of undivided profits over and above the dividend so proposed to be paid sufficient to provide for the dividends on preferred shares of both classes then outstanding for a full period of two years;

(d) After providing for the surplus, in sub-paragraph (c), the net quick assets of the company are equivalent to at least 115 per cent. and the net tangible assets (including the total net quick assets) are equivalent to at least 200 per cent. of the total par value of the preferred stock of both classes then outstanding.

No mortgage or lien on the real estate, machinery or fixed assets of the company shall be given nor will any bond, debenture or other evidence of indebtedness secured thereon be made without the approval in writing of the holders of at least 60 per cent. in amount of both classes of preferred stock of the company then outstanding given separately or by resolutions passed with the like approval at meetings of the said classes respectively specially held to consider the same, nor shall any preferred stock over and above the \$15,000,000 par value now authorized having priority over or ranking on a parity therewith be issued without the like consent and approval on the part of the holders of the preferred stock.

Each share of stock of the company (prior preference stock, preferred stock and common stock) shall entitle the holder thereof to one vote. The board of directors of the company shall be seven in number, subject to increase or decrease to nine or five in accordance with the provisions of *The Ontario Companies Act*, and the common stockholders voting as a class shall be entitled to elect four of the new board, and five or three as the case may be in event of increase or decrease, and the prior preference stockholders and preferred stockholders voting together shall be entitled to elect the remainder of the board, namely: three or four or two as the case may be. In the event of a vacancy occurring in the board between annual meetings, the remaining director or directors of the class in which the vacancy occurs shall alone be entitled to fill such vacancy.

As soon as this plan shall become effective, the company shall call a general meeting of its shareholders for the purpose of electing a board of seven directors, and the present board shall retire at the said meeting.

5. Three year eight per cent. notes, \$1,219,920.46.

To be issued with the privilege to the company of an extension for one year upon payment of 25 per cent. at the end of the said year of an extension for another year upon payment of an additional 25 per cent. of the original face value; also with the option of prepayment in whole or in part on any interest day. The notes, together with interest, are to be payable in the currency of the United States of America. The form of the notes and the other terms and conditions thereof to be such as the directors may determine.

#### PROVISION FOR EXISTING DEBT AND STOCK.

1. The banks will retain their present position.

2. The company shall give to the holders of notes of the company, ~~as~~ transferred by the Akron Company, ~~the~~ its three year notes (as hereinbefore defined) to the amount of the notes so held.

3. The company shall issue to The Goodyear Tire and Rubber Company of Akron, Ohio, in payment of the indebtedness of this company to the Akron company, prior preference stock at par.

4. Fabric commitment creditors will receive 25 per cent. of their contract price either in prior preference stock or preferred stock at their option at par, the remaining 75 per cent. being payable in cash, payments in both stock and cash being made from time to time against deliveries; the commitment creditors agree not to require the company to take deliveries more rapidly than it requires same for production, deliveries to be taken *pro rata*, ~~as~~ so far as practicable, and the Company not to take from other parties deliveries of fabric of any kind such as covered by any existing commitment contract while such contract continues and/or until deliveries thereunder have been completed. ~~the~~

5. U.S. rubber commitment creditors will receive 20 per cent. in cash on deliveries of rubber in accordance with the terms of their contracts, and 90 day notes with interest at seven per cent. (notes and interest payable in the currency required by the terms of the contracts for rubber) with the privilege to the company of securing three 90-day renewals of the said notes upon payment of 25 per cent. of the balance owing at the time of each renewal.

6. Preferred stock now outstanding—The terms and conditions of preferred stock now outstanding will be changed to those hereinbefore set out. The holders of the present preferred stock shall,

on the plan becoming effective, send in their present certificates for stock to the secretary of the company for exchange. No dividend accrued on preferred stock shall be paid to the holder thereof in the books of the company until such time as such holder has sent in his certificate for exchange.

7. Common stock now outstanding—The par value of all the common stock of the company, including that now issued and outstanding, will be reduced from \$100 to \$10 a share. The holders of common stock shall, on the plan becoming effective, send in their certificates for stock to the secretary of the company for exchange. No dividend accrued on common stock shall be paid to the holder thereof in the books of the company until such time as such holder has sent in his certificate for exchange.

8. This scheme shall become effective—

(1) When the company has obtained from the Ontario Railway and Municipal Board a certificate that—

(a) 75 per cent. in amount of the holders of notes assigned and transferred by the Akron Company have assented thereto in writing;

(b) 75 per cent. in amount of the fabric commitment creditors have assented thereto in writing;

(c) 75 per cent. in amount of the rubber commitment creditors have assented thereto in writing;

(d) The Goodyear Tire and Rubber Company of Akron, Ohio, has assented thereto in writing;

(e) It has been approved in writing by the holders of at least 60 per cent. in amount of the preferred stock of the company outstanding or by resolution passed with the like approval at a meeting specially held to consider the same;

(f) It has been approved in writing by the holders of at least 60 per cent. in amount of the common stock of the company outstanding or by resolution passed with the like approval at a meeting specially held to consider the same; and

(2) When a special Act of the Legislature of the Province of Ontario confirming this scheme has become operative.

## CHAPTER 139.

An Act to incorporate Niagara Peninsula Growers,  
Limited*Assented to May 3rd, 1921.*

**W**HEREAS a petition has been presented praying for Preamble.  
the incorporation of a company for the purpose of  
promoting the fruit-growing industry in the Niagara Penin-  
sula, and that it be enacted as hereinafter set forth; and it  
is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and con-  
sent of the Legislative Assembly of the Province of Ontario,  
enacts as follows:

**1.** Arthur Adam Craise of the Township of Louth in the Incorporation.  
County of Lincoln, Fruitgrower; Arthur Wesley Smith of  
the Township of Clinton in the County of Lincoln, Fruit-  
grower; Henry Thompson Foster of the Township of Nelson  
in the County of Halton, Fruitgrower; David Hunter of the  
Township of North Grimsby in the County of Lincoln,  
Fruitgrower; James Bradford Fairbairn of the Township of  
Clinton in the County of Lincoln, Fruitgrower; John Pettit  
Bridgman of the Township of Saltfleet in the County of  
Wentworth, Fruitgrower, and George Collins Brown of the  
Township of Pelham in the County of Welland, Fruitgrower,  
and such other persons as become shareholders in the com-  
pany hereby incorporated, are hereby constituted a body  
corporate and politic under the name of "Niagara Peninsula  
Growers, Limited," hereinafter called the company.

**2.** The persons named in section 1 of this Act shall be Provisional  
the provisional directors of the company, a majority of whom directors;  
shall form a quorum for the transaction of business. majority  
to form  
quorum.

**3.** The head office of the company shall be at the Village Head office.  
of Grimsby in the County of Lincoln, but the directors  
may establish other offices and places of business elsewhere.  
The location of the head office may be changed by a majority  
vote of the shareholders of the company, present or repre-  
sented by proxy at a meeting duly called for considering the  
same.

same. Meetings of the company shall be held at the head office, or at such other place or places in Ontario as the directors from time to time may decide.

**Capital  
stock.**

4. The capital stock of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each.

**Qualifica-  
tion of  
share-  
holders.**

5. Those persons only who are fruitgrowers or owners or lessees of fruit farms, and whose applications to become shareholders of the company are approved by the directors, shall be eligible to hold shares in the company; provided, however, that shares may be allotted to any person not a fruitgrower or the owner or lessee of a fruit farm on resolution passed by a vote of two-thirds of all the directors of the company.

**Power  
to pass  
by-laws.**

6. The company may pass by-laws, rules and regulations governing the conduct of the affairs of the company, applications for shares, withdrawal of shareholders of the company, bases and conditions upon which shares may be purchased or allotted, the rights, privileges, duties and obligations of the shareholders in respect of shares held by them, and of contracts, undertakings or engagements entered into by the shareholders with the company for the sale, delivery, marketing, grading, handling and otherwise of all and any fruits grown, produced, manufactured or otherwise dealt in by the shareholders, and the terms, conditions and stipulations thereof; and, from time to time, repeal, amend and vary such by-laws, rules and regulations.

**Form of  
stock  
certificate.**

7. Stock certificates for shares, or interim receipts for subscriptions therefor, shall be in such form, and be subject to such conditions and restrictions as to sale or transfer, as the by-laws of the company may provide.

**Shares:  
voting  
by proxy.**

8. No shareholder of the company may hold or own more than five shares in the capital of the company; and no shareholder may hold more than two proxies at any meeting of the company.

**Power of  
directors  
to define  
areas  
within  
Niagara  
Peninsula.**

9. For the purposes of the company the directors may pass by-laws to divide the Niagara Peninsula, and other territory in Ontario which may come within the sphere of its operations, into divisions, and to define the number, area and names of such divisions, and may, from time to time, by by-law, repeal, amend or vary the extent, number, area and names of such divisions and the by-laws governing the same.

**10.** After such divisions are created every shareholder shall elect by notice in writing to the company to which division he shall be assigned and belong; and the directors may pass by-laws, rules and regulations governing such divisions, the shareholders thereof, meetings therefor, marketing and shipments therein and therefrom, and for the doing of all things needful to insure the carrying out of the purposes of the company; and, from time to time, to repeal, amend or vary such by-laws, rules and regulations.

Each shareholder to elect division to which he desires to be assigned; power of directors to regulate same.

**11.** The objects or purposes of the company shall be as follows:

Objects of company.

- (a) To carry on the businesses of fruitgrowing and farming in all their branches; Fruit-growing and farming.
- (b) To produce, buy, sell and deal in fruit and vegetables, and to carry on the business of wholesale and retail fruit, vegetables and farm produce, merchants, shippers, brokers, importers, exporters, producers, distributors, commission agents, dealers and traders; Purchase and sale of produce.
- (c) To manufacture, buy, sell, produce, ship, import, export, market, trade and deal in all kinds of canned goods, jams, marmalades, jellies, preserves, pickles, syrups, essences, extracts, condiments, sauces, relishes, table delicacies, provisions, grocers' sundries and supplies, prepared foods, meats, fowl, game, fish, cured fruits and vegetables, dried, aerated and evaporated fruits and vegetables, dairy produce, grain and cereal produce, and all other products of the field, farm, orchard, garden and forest; Canned goods and other products.
- (d) To manufacture, buy, sell and deal in ice, and to carry on the businesses of cold storage and refrigerator plants; Manufacture of ice; refrigerator plant, etc.
- (e) To buy, sell and otherwise deal in goods, wares and merchandise, and to carry on general trader's, commission merchant's and factor's businesses therein; General trade.
- (f) To manufacture, produce, grow, buy, lease, sell and otherwise acquire, deal in and dispose of all machinery, tools, implements, apparatus, baskets, boxes, crates, barrels, packages, supplies, live stock, fuel, seed, grain, trees, shrubs, plants, nursery stock and generally all classes of articles, goods, wares, merchandise, produce and supplies Machinery, baskets, and general supplies.

plies which may be used in the manufacture, production, marketing, disposal and shipping of products of the farm and fruit farm, and all articles, substances and things which may be utilized in such production, or in the maintenance, cultivation, improvement and development of farms and fruit farms;

Stores:  
wholesale  
and retail.

- (g) To establish stores, depots and agencies for the purposes of the company, and to carry on the business of general storekeepers in all its branches, both wholesale and retail;

Lands.

- (h) To acquire by purchase, lease, exchange or otherwise, and to hold, develop, rent, sell, convey, exchange, lease or otherwise dispose of land for the purposes of the company;

Telephone.

- (i) Subject to provisions of *The Ontario Telephone Act and amendments thereto*, to construct, maintain and operate private telephone lines for the purposes of the company between the head office and any branch and divisional offices of the company;

Expenses.

- (j) To pay all expenses incurred in promoting the company, or which may be preliminary thereto.

Powers of  
company.

**12.** For the objects and purposes set forth in section 11, the company may exercise and do all such powers and things as may be necessary, incidental or conducive to the attainments thereof, and may exercise all and any of the powers incidental or ancillary to a company under *The Ontario Companies Act* and amendments thereto.

Rev. Stat.,  
c. 178.

Powers of  
directors:

**13.—(1)** The directors of the company may make by-laws for:

To borrow  
money.

- (a) Borrowing money;

To issue  
bonds, etc.

- (b) Issuing bonds, debentures, debenture stock, both perpetual and terminable, or other securities;

To sell  
bonds, etc.

- (c) Pledging or selling such bonds, debentures or debenture stock, or other securities for such sum and at such prices as may be deemed expedient or be necessary.

(2) Nothing in this section shall limit or restrict the power of the company to borrow money on bills of exchange, promissory notes, bills of lading, warehouse receipts or other securities of a commercial nature issued in the ordinary course of business.

Not to limit power to borrow on bills of exchange, etc.

**14.** No by-law for any of the purposes mentioned in the next preceding section shall take effect until it has been confirmed by a vote of shareholders present or represented by proxy at a meeting duly called for considering the same and holding not less than two-thirds of the issued capital stock of the company.

Confirmation of by-laws of directors.

**15.** The company shall be managed by a board of directors, who shall be shareholders of the company, each holding not less than one share therein, and the board shall consist of such number, and they shall be elected in such manner and represent such division or divisions, as the by-laws of the company may provide, but the board shall consist of not less than seven directors who shall be elected annually.

Directors: qualification of, election, etc.

**16.** Subject to the provisions of this Act and of the by-laws of the company, the board of directors shall have full power to manage and carry on the affairs and undertakings of the company, and do and perform all acts, matters and things necessary therefor.

Powers of directors.

**17.** The directors may pass by-laws to create reserve funds for the purposes of the company, and from time to time set apart any of the funds of the company as or towards the same.

Reserve fund.

**18.** *The Ontario Companies Act* and amendments thereto shall, so far as the same are not inconsistent with the special provisions of this Act, apply to the company.

Rev. Stat., c. 173, to apply.

**19.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

1. It shall and may be lawful for the Law Society of Upper Canada, at any time hereafter, to admit the said James Petrie Pratt to practise at the Bar of His Majesty's Courts in Ontario, and to practise as a solicitor in the Supreme Court of Ontario, on his paying the proper fees in that behalf, and upon passing such examination as may be prescribed by the said Society, and without complying with any other requirements of the law or any other rules or regulations of the said society in that behalf.

## CHAPTER 140.

An Act to authorize the Law Society of Upper Canada to admit James Petrie Pratt to practise as a Barrister and Solicitor.

*Assented to April 8th, 1921.*

## Preamble

**W**HEREAS James Petrie Pratt, of the City of Montreal, in the Province of Quebec, has, by his petition, set forth that from the 28th day of January, 1896, to the 28th day of October, 1903, he was a *bona fide* clerk to the late John Bell, K.C., of the City of Belleville, in the Province of Ontario, General Counsel of the Grand Trunk Railway System; that on the last-mentioned date he was transferred to the office of W. H. Biggar, K.C., then Assistant General Counsel of the said railway company at Montreal, in which office he has since been continuously employed; that during his service he has had experience in all branches of the work of said offices, including the conduct of litigation affecting the said railway company in all courts of the Province of Ontario; that he has had a large and varied experience and has thereby acquired a good practical knowledge of railway and other law; that on the first day of November, 1919, he was admitted as a student-at-law by the Law Society of Upper Canada, and was articled to D. L. McCarthy, K.C., of the City of Toronto; that by reason of his duties he is and will be unable to attend the lectures prescribed for law students at Osgoode Hall in the City of Toronto, but is prepared to pass such an examination in law as may be prescribed by the Law Society of Upper Canada; and whereas the said James Petrie Pratt has prayed that an Act may be passed to enable the Law Society of Upper Canada to admit him to practise at the Bar of His Majesty's Courts in Ontario, and also to practise as a solicitor in the Supreme Court of Ontario; and whereas the circumstances appear to be exceptional; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—



# INDEX TO ACTS OF THE PROVINCE OF ONTARIO

Second Session, Fifteenth Legislature,  
11 George V, 1921

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<p>ACTON, VILLAGE OF, by-law 504 confirmed for borrowing \$70,000 for construction of waterworks . . . . .</p> <p>ADMINISTRATION, duties and powers of public trustee, See PUBLIC TRUSTEE . . . . .</p> <p>ADOLESCENT SCHOOL ATTENDANCE, penalties, application of . . . . .</p> <p>ADOPTION, APPLICATION FOR ORDER, to Judge . . . . . when husband or wife must join . . . . . notice of . . . . . to be heard in chambers . . . . .</p> <p>CHILD, when under fourteen years, previous residence required . . . . . inheritance by . . . . . who may inherit from . . . . . meaning of . . . . .</p> <p>CONSENT, whose required . . . . . when may be dispensed with . . . . . additional . . . . .</p> <p>JUDGE, meaning of . . . . .</p> <p>NON-RESIDENT, rights of succession . . . . .</p> <p>NOTICE, when required . . . . . service of . . . . . additional . . . . .</p> <p>ORDER, who may apply for . . . . . when Judge may make . . . . . effect of . . . . . previous, effect of . . . . . transmitting copy to Registrar General . . . . .</p>	<p>PAGE</p> <p>329-334</p> <p>167</p> <p>315</p> <p>191 191 193 195</p> <p>193 194 194 194</p> <p>192 192, 193 193</p> <p>191</p> <p>194</p> <p>192 193 193</p> <p>191</p> <p>194</p> <p>192 193 193</p> <p>191 193 193 195 195</p>
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TABLE SHOWING ALL ACTS CONTAINED IN THE REVISED STATUTES  
OF ONTARIO, 1914, AND ALL AMENDMENTS AND ALL PUBLIC  
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1914 TO 1921 INCLUSIVE.

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NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject-matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

*Abbreviations*—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s.=section; sub.=substituted.

## A.

ABSCONDING DEBTORS ACT. R.S.O. 1914, c. 82; 1919, c. 25, s. 11 am.

ABSENTEE ACT. 1920, c. 36.

ACCIDENT. *See* Fatal Accidents Act; Workmen's Compensation for Injuries Act.

ACCIDENT PREVENTION. *See* Fire; Threshing Machines Act.

ACCIDENTAL FIRES ACT. R.S.O. 1914, c. 118.

ACCOUNTANTS. *See* Chartered Accountants Act.

ACCUMULATIONS ACT. R.S.O. 1914, c. 110.

ADMINISTRATION OF ESTATES. *See* Crown Administration of Estates Act; Devolution of Estates Act; Ontario Public Trustee Act; Settled Estates Act; Succession Duty Act; Surrogate Courts Act; Trustee Act.

ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1914, c. 96; 1914, c. 21, ss. 25-26 am.; 1916, c. 24, ss. 17-18 am.; 1917, c. 29 am.; 1918, c. 25 am.; 1919, c. 25, s. 14 am.; 1919, c. 25, ss. 38, 39 am.

ADOLESCENT SCHOOL ATTENDANCE ACT. R.S.O. 1914, c. 275; 1916, c. 62 rep.; 1919, c. 78, rep. and sub.; 1921, c. 89, s. 27 am.

ADOPTION ACT. 1921, c. 55.

AGENTS. *See* Factors Act.

AGRICULTURE. *See* Agricultural Associations Act; Agricultural College Act; Agricultural Development Act; Agricultural Development Finance Act; Representatives Act; Agricultural Societies Act; County Publicity Act; Department of Agriculture Act; District Representatives Act; East Simcoe Agricultural Society; Farm Loans Act; Federal Grants for Agricultural Purposes; Lennox Agricultural Society; Ontario Farm Loans Act; Protection of Pure Bred Cattle Act.

AGRICULTURAL ASSOCIATIONS ACT. R.S.O. 1914, c. 46; 1916, c. 24, s. 3 am.; 1920, c. 27 am.; 1921, c. 29 am.

AGRICULTURAL COLLEGE ACT. R.S.O. 1914, c. 281; 1916, c. 24, s. 44 am.

AGRICULTURAL DEVELOPMENT ACT. 1921, c. 32.

AGRICULTURAL DEVELOPMENT FINANCE ACT. 1921, c. 31.

- AGRICULTURAL REPRESENTATIVES ACT. 1918, c. 19.
- AGRICULTURAL SOCIETIES ACT. R.S.O. 1914, c. 47; 1914, c. 21, ss. 9-13 am.; 1917, c. 27, ss. 14-15 am.; 1918, c. 20, ss. 12-14 am.; 1919, c. 25, ss. 6-7 am.; 1920, c. 28 am.; 1921, c. 30 am.
- ALIENS' REAL PROPERTY ACT. R.S.O. 1914, c. 108.
- ALLOWANCES. *See* Mothers' Allowances Act.
- AMUSEMENTS TAX ACT. 1916, c. 9; 1917, c. 27, ss. 64-65 am.; 1918, c. 20, ss. 54-55 am.; 1920, c. 11 am.
- AN ACT TO AUTHORIZE AND CONFIRM GRANTS BY MUNICIPAL CORPORATIONS FOR PATRIOTIC PURPOSES. 1915, c. 37; 1916, c. 40 am.; 1917, c. 41 am.; 1918, c. 34 am.; 1919, c. 25, s. 33 am., s. 44 aff.
- AN ACT TO CONFER CERTAIN POWERS RESPECTING HOSPITALS ON THE LIEUTENANT GOVERNOR IN COUNCIL. 1920, c. 108.
- AN ACT TO CONFIRM THE TITLE OF THE GOVERNMENT OF CANADA TO CERTAIN LANDS AND INDIAN LANDS. 1915, c. 12.
- AN ACT TO CREATE THE TERRITORIAL AND PROVISIONAL DISTRICT OF TEMISKAMING. 1912, c. 21; 1914, c. 21, s. 1 am.; 1915, c. 20, s. 28 am.
- AN ACT FOR GRANTING TO HIS MAJESTY CERTAIN SUMS OF MONEY FOR THE PUBLIC SERVICE. 1914, c. 1; 1915, c. 1; 1916, c. 1; 1917, c. 1; 1918, c. 1; 1919, c. 1; 1920, c. 1; 1921, c. 1.
- AN ACT TO INCORPORATE THE TOWN OF KAPUSKASING. 1921, c. 36.
- AN ACT TO ENABLE THE EXECUTORS OF THE LATE GEORGE TAYLOR FULFORD TO MAKE A CERTAIN GIFT OUT OF HIS ESTATE FOR PATRIOTIC PURPOSES. 1915, c. 11.
- AN ACT TO LICENSE BILLIARD AND POOL ROOMS AND BOWLING ALLEYS. 1921, c. 14.
- AN ACT TO PROVIDE FOR THE PAYMENT OF AN ANNUITY TO ALICE, LADY WHITNEY. 1915, c. 9.
- AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND OF ONTARIO. 1914, c. 9; 1915, c. 4; c. 5, s. 5 am.; 1916, c. 2; 1917, c. 2; 1918, c. 2; 1919, c. 2; 1920 c. 6; 1921, c. 7.
- AN ACT TO REDUCE PROPERTY QUALIFICATIONS OF CANDIDATES FOR MEMBERSHIP IN MUNICIPAL COUNCILS. 1920, c. 59.
- AN ACT RESPECTING CERTAIN BEQUESTS OF THE LATE GEORGE CUMMINGS BUTLER DWYER BROPHY. 1915, c. 10.
- ANATOMY ACT. R.S.O. 1914, c. 162.
- ANDREW MERCER REFORMATORY ACT. R.S.O. 1914, c. 288; 1919, c. 83, ss. 9-10 am.
- ANIMALS. *See* Brand Act; Dog Tax and Sheep Protection Act; Entry of Horses at Exhibition Act; Injured Animals Act; Ontario Game and Fisheries Act; Ontario Stallion Act; Protection of Pure-Bred Cattle Act.
- APPEALS. *See* Privy Council Appeals Act.
- APPORTIONMENT ACT. R.S.O. 1914, c. 156.
- APPRENTICES AND MINORS ACT. R.S.O. 1914, c. 147.
- ARBITRATION. *See* Arbitration Act; Boards of Trade General Arbitration Act.
- ARBITRATION ACT. R.S.O. 1914, c. 65.
- ARCHITECTS. *See* Ontario Architects Act.
- ARREST. *See* Fraudulent Debtors' Arrest Act.
- ART GALLERY OF TORONTO. 1919, c. 25, s. 1.
- ASSEMBLY. *See* Legislative Assembly Act.
- ASSESSMENT ACT. R.S.Q. 1914, c. 195; 1914, c. 2, s. 4, c. 34 am.; 1915, c. 36 am.; 1916, c. 6, s. 2, c. 24, s. 28 aff.; c. 41 am.; 1917, c. 4, s. 1, c. 7, s. 5, c. 43, s. 2, c. 45 am.; 1918, c. 20, ss. 37-40 am.; 1919, c. 50 am.; 1920, c. 63 am., c. 79 am.; 1921, c. 67 am.
- ASSIGNMENTS AND PREFERENCES ACT. R.S.O. 1914, c. 134; 1914, c. 21, s. 29 am.
- ASSURANCES OF ESTATES TAIL. *See* Estates Tail Act.
- ATHLETIC COMMISSION ACT. 1920, c. 30; 1921, c. 88 am.
- ATHLETICS. *See* Community Halls Act.

AUCTIONEERS. *See* Provincial Auctioneers' License Act.

AUDIT ACT. R.S.O. 1914, c. 23; 1914, c. 2, s. 4; c. 21, ss. 6-7 am.; 1917, c. 27, s. 6 am.; 1921, c. 9 am.

AUSTRIA HUNGARY: PAYMENT OUT OF COURT OR BY EXECUTORS. 1914, c. 21, s. 67.

AUXILIARY CLASSES ACT. 1914, c. 49; 1917, c. 62 am.

## B.

BARBERRY SHRUB ACT. R.S.O. 1914, c. 255.

BARRISTERS ACT. R.S.O. 1914, c. 158.

BEACH PROTECTION ACT. R.S.O. 1914, c. 244; 1920, c. 91 am.

BEACHES AND RIVER BEDS ACT. R.S.O. 1914, c. 245.

BED OF NAVIGABLE WATERS ACT. R.S.O. 1914, c. 31.

BEE. *See* Bee Diseases Act; Bee Protection Act; Foul Brood Act; Swarms of Bees Act.

BEE DISEASES ACT. 1920, c. 95.

BEE PROTECTION ACT. R.S.O. 1914, c. 257; 1914, c. 21, s. 54 am.; 1916, c. 24, s. 33 am.

BELGIUM: PAYMENT OUT OF COURT OR BY EXECUTORS. 1914, c. 21, s. 67.

BELMONT. *See* Agricultural Societies Act.

BEQUESTS TO TREASURER OF ONTARIO. 1915, c. 20, s. 25.

BILLIARD ROOMS. *See* Minors' Protection Act; An Act to License Billiard and Pool Rooms and Bowling Alleys.

BILLS OF SALE AND CHATTEL MORTGAGE ACT. R.S.O. 1914, c. 135; 1916, c. 24, s. 22 am.; 1921, c. 50 am.

BIRDS. *See* Birds' Protection Act; Protection of Birds Act.

BIRDS' PROTECTION ACT. 1918, c. 50; 1919, c. 25, s. 40 am.

BIRTHS. *See* Vital Statistics Act.

BOARD OF EDUCATION. *See* Boards of Education Act; Toronto Board of Education Act.

BOARD OF PAROLE. *See* Ontario Parole Act.

BOARD OF POLICE COMMISSIONERS FOR COUNTIES. 1914, c. 21, s. 24.

BOARDS OF EDUCATION ACT. R.S.O. 1914, c. 269; 1914, c. 21, s. 61 am.; 1915, c. 43, s. 11 am.; 1917, c. 27, s. 50, c. 61 am.; 1919, c. 6, s. 2 am.; 1920, c. 99, s. 7 am.

BOARDS OF TRADE GENERAL ARBITRATION ACT. R.S.O. 1914, c. 66.

BOILERS. *See* Steam Boilers Act.

BOUNDARY LINE DISPUTE ACT. R.S.O. 1914, c. 67.

BOUNTY. *See* Metal Refining Bounty Act.

BRAND ACT. 1919, c. 70.

BREAD SALES ACT. R.S.O. 1914, c. 224; 1917, c. 53 am.; 1918, c. 43 am.

BREWERS. *See* Distillers' and Brewers' Business Assessment Act.

BROPHY. *See* An Act Respecting Certain Bequests of the Late George Cummings Butler Dwyer Brophy, 1915, c. 10.

BUILDINGS TRADES PROTECTION ACT. R.S.O. 1914, c. 228; 1916, c. 13 aff.

BULK SALES ACT. 1917, c. 33; 1918, c. 20, s. 60 am.

BUREAU OF LABOUR ACT. R.S.O. 1914, c. 37; 1916, c. 13 am.; 1917, c. 15 am.; 1918, c. 20, s. 56 am.; 1919, c. 22 am.

BUREAU OF MUNICIPAL AFFAIRS ACT. 1917, c. 14; 1919, c. 48 am.

BURIAL GROUNDS. *See* Cemetery Act.

BURLINGTON BEACH ACT. R.S.O. 1914, c. 53; 1914, c. 2, s. 4 am.; 1921, c. 34 am.

BUTTER. *See* Cheese and Butter Exchanges Act; Dairy Products Act; Dairy Standards Act.

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- CANADIAN BANKERS' ASSOCIATION. *See* Grain Loans Act.
- CAPREOL, TOWN OF. *See* Municipal Debentures Guarantee Act; Debentures Guarantee Act.
- CATTLE. *See* Brand Act; Protection of Pure Bred Cattle Act.
- CEMETERIES. *See* Cemetery Act; Registry Act.
- CEMETERY ACT. R.S.O. 1914, c. 261; 1914, c. 45 am.; 1915, c. 42 am.; 1920, c. 96 am.; 1921, c. 86 am.
- CENTRAL ONTARIO POWER ACT. 1916, c. 18.
- CHARITABLE INSTITUTIONS. *See* Hospitals and Charitable Institutions Act; Public Institutions Amendment Act; Statute Law Amendment Act, 1914, c. 21, s. 66; 1916, c. 24, s. 46; 1917, c. 27, s. 57.
- CHARITIES ACCOUNTING ACT. 1915, c. 23; 1916, c. 24, s. 50 am.; 1919, c. 32, s. 5 am.; 1921, c. 47, s. 8 am.
- CHARITY, GIFTS TO PROVINCE FOR PURPOSE OF. 1915, c. 20, s. 25.
- CHARTERED ACCOUNTANTS ACT. R.S.O. 1914, c. 169.
- CHEESE. *See* Cheese and Butter Exchanges Act; Dairy Products Act; Dairy Standards Act.
- CHEESE AND BUTTER EXCHANGES ACT. R.S.O. 1914, c. 191.
- CHILDREN. *See* Adoption Act; Auxiliary Classes Act; Children's Protection Act; Children of Unmarried Parents Act; Illegitimate Children's Act; Infants Act; Juvenile Courts Act; Legitimation Act; Maternity Boarding Houses Act; Mothers' Allowances Act.
- CHILDREN OF UNMARRIED PARENTS ACT. 1921, c. 54.
- CHILDREN'S PROTECTION ACT OF ONTARIO. R.S.O. 1914, c. 231; 1914, c. 21, ss. 49-52 am.; 1916, c. 53 am.; 1918, c. 20, s. 42 am.; 1919, c. 65 am.
- CIRCUS. *See* Travelling Shows Act.
- CITY AND SUBURBS PLANS ACT. R.S.O. 1914, c. 194; 1917, c. 44 rep.; *See* Planning and Development Act.
- CIVIL SERVICE. *See* Public Service.
- COBALT. *See* School Law Amendment Act, 1919, c. 73, s. 20.
- COCHRANE. *See* Municipal Debentures Guarantee Act; Debentures Guarantee Act.
- COLLEGE OF ART ACT. R.S.O. 1914, c. 284; 1919, c. 82 rep.
- COLLEGE OF ART ACT. 1920, c. 105.
- COLONIZATION ROADS ACT. R.S.O. 1914, c. 41; 1914, c. 17 aff.; 1920, c. 25 am.
- COMMISSIONERS FOR TAKING AFFIDAVITS ACT. R.S.O. 1914, c. 77.
- COMMISSIONERS OF POLICE FOR COUNTIES. 1914, c. 21, s. 24.
- COMMUNITY HALLS ACT. 1919, c. 55; 1920, c. 72, sub.; 1921, c. 70 am.
- COMPANIES. *See* Ontario Companies Act; Extra-Provincial Corporations Act.
- COMPENSATION. *See* Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation for Injuries Act.
- CONDITIONAL SALES ACT. R.S.O. 1914, c. 136; 1916, c. 24, s. 23 am.
- CONNAUGHT LABORATORIES. *See* University Aid Act.
- CONSOLIDATED REVENUE FUND ACT. R.S.O. 1914, c. 20; *See* also 1914, c. 9; 1915, c. 4; 1916, c. 2; 1917, c. 2; 1918, c. 2; 1919, c. 2; 1920, c. 6; 1921, c. 7.
- CONSOLIDATED SCHOOLS ACT. 1919, c. 75; 1920, c. 99, ss. 11-14 am.; 1921, c. 89, s. 28 am.
- CONSTABLES ACT. R.S.O. 1914, c. 94; 1915, c. 20, s. 12 am.; 1921, c. 45, ss. 5-6 am.
- CONSTABLES; COUNTY POLICE COMMISSIONERS. 1914, c. 21, s. 24.
- CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1914, c. 85.
- CONTINUATION SCHOOLS ACT. R.S.O. 1914, c. 267; 1914, c. 21, s. 58 am.; 1915, c. 43, ss. 3-4 am.; 1916, c. 24, ss. 37-38 am.; 1917, c. 27, ss. 47-48 am.; 1918, c. 51, s. 5 am.; 1919, c. 6 am.; 1920, c. 99, s. 4 am.; 1921, c. 89, ss. 11-12 am.

- CONVEYANCING. *See* Conveyancing and Law of Property Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
- CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1914, c. 109; 1914, c. 2, s. 4 am.
- CO-OPERATIVE MARKETING LOAN ACT. 1920, c. 54.
- CORONERS ACT. R.S.O. 1914, c. 92; 1914, c. 22, c. 41, s. 17 am.; 1916, c. 55, s. 5 aff.; 1918, c. 24 am.; 1920, c. 39 am.
- CORPORATIONS TAX ACT. R.S.O. 1914, c. 27; 1914, c. 11 am.; 1915, c. 8 am.; 1916, c. 8 am.; 1920, c. 9 am.; 1921, c. 12 am.
- COSTS OF DISTRESS ACT. R.S.O. 1914, c. 78.
- COUNTIES REFORESTATION ACT. R.S.O. 1914, c. 240; 1921, c. 81 am.
- COUNTY BOARD OF POLICE COMMISSIONERS. 1914, c. 21, s. 24.
- COUNTY COURT JUDGES CRIMINAL COURTS ACT. R.S.O. 1914, c. 61.
- COUNTY COURTS ACT. R.S.O. 1914, c. 59; 1914, c. 21, s. 16 am.; 1916, c. 24, s. 7 am.; 1918, c. 21 am.; 1919, c. 25 s. 10 am., s. 44 aff.; 1920, c. 32 am.
- COUNTY JUDGES ACT. R.S.O. 1914, c. 58; 1916, c. 24, s. 6 am.; 1919, c. 26 am.; 1921, c. 37 am.
- COUNTY PUBLICITY ACT. 1914, c. 19.
- COURTS. *See* Administration of Justices Expenses Act; County Court Judges Criminal Courts Act; County Courts Act; County Judges Act; Division Courts Act; Dominion Courts Act; Extra Judicial Services Act; General Sessions Act; Judicature Act; Jurors Act; Justices of the Peace Act; Police Magistrates Act; Privy Council Appeals Act; Surrogate Courts Act.
- CREAM. *See* Cream and Milk Purchase Act; Cream Purchases Act; Dairy Products Act; Dairy Standards Act.
- CREAM AND MILK PURCHASE ACT. 1920, c. 85.
- CREAM PURCHASES ACT. 1919, c. 63; 1920, c. 85 rep.
- CREDITORS' RELIEF ACT. R.S.O. 1914, c. 81.
- CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1914, c. 73; 1918, c. 20, s. 17 am.; 1919, c. 32, s. 2 am.; 1921, c. 47, s. 9 am.
- CROWN ATTORNEYS. *See* Crown Attorneys Act; Toronto and York Crown Attorneys Act.
- CROWN ATTORNEYS ACT. R.S.O. 1914, c. 91; 1914, c. 21, s. 23 am.; 1918, c. 20, s. 21 am.; 1919, c. 25, s. 13 am.; 1921, c. 43, c. 44, s. 9 am.
- CROWN LANDS. *See* Returned Soldiers' and Sailors' Land Settlement Act; Veterans' Land Grant Act; Veterans' Land Grant Amendment Act.
- CROWN TIMBER ACT. R.S.O. 1914, c. 29; 1914, c. 12 aff.; 1915, c. 20, s. 4 am.; 1916, c. 24, s. 48 am.; 1919, c. 11 aff.; 1920, c. 14 aff.
- CROWN TIMBER. *See* Purchase of Timber Limits of Pembroke Lumber Company.
- CROWN WITNESSES ACT. R.S.O. 1914, c. 97; 1917, c. 27, s. 24 am.
- CULLERS. *See* Ontario Cullers Act.
- CULTIVATION. *See* Vacant Land Cultivation Act.
- CURRENT RATE OF INTEREST ACT. 1917, c. 8; 1921, c. 8 am.
- CUSTODY OF DOCUMENTS ACT. R.S.O. 1914, c. 125; 1916, c. 24, s. 21 am.; 1918, c. 20, s. 24 am.
- CUSTODY OF RECORDS. 1916, c. 25.

## D.

- DAIRY PRODUCTS ACT. R.S.O. 1914, c. 223; 1916, c. 24, s. 30 am.
- DAIRY STANDARDS ACT. 1916, c. 52; 1917, c. 52 am.; 1921, c. 75 am.
- DAMAGE BY FLOODING ACT. R.S.O. 1914, c. 86.
- DAMAGE BY FUMES ARBITRATION ACT. 1921, c. 85.
- DEBENTURES GUARANTEE ACT. 1919, c. 4; 1920, c. 7.

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- DEFINITION OF TIME ACT. R.S.O. 1914, c. 132; 1918, c. 20, s. 25 am.
- DENTISTRY ACT. R.S.O. 1914, c. 163; 1920, c. 46 am.
- DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1914, c. 45; 1916, c. 24, ss. 1-2 am.; 1917, c. 23 am.; 1918, c. 20, s. 11 am.; 1919, c. 25, s. 36 am.
- DEPARTMENT OF EDUCATION ACT. R.S.O. 1914, c. 265; 1915, c. 43, s. 2 am.; c. 45, s. 1 aff.; 1916, c. 24, s. 34 am.; 1917, c. 27, ss. 38-40 am.; 1918, c. 51, s. 2
- DEPARTMENT OF LABOUR ACT. 1919, c. 22; 1921, c. 77.  
am.; 1919, c. 73, ss. 2-6 am.; 1920, c. 99, ss. 2-3 am.; 1921, c. 89, ss. 2-3 am.
- DEPARTMENT OF MINES ACT. 1920, c. 12.
- DESERTED 'WIVES' MAINTENANCE ACT. R.S.O. 1914, c. 152; 1920, c. 44.
- DEVOLUTION OF ESTATES ACT. R.S.O. 1914, c. 119; 1918, c. 20, s. 22 am.; 1919, c. 28 am.; 1921, c. 47, s. 6 am.
- DISQUALIFICATION ACT. 1919, c. 6.
- DISTILLERS' AND BREWERS' BUSINESS ASSESSMENT TAX ACT. 1920, c. 79.
- DISTRICT COURT HOUSES ACT. R.S.O. 1914, c. 294.
- DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1914, c. 291; 1919, c. 83, s. 12 am.
- DISTRICT REPRESENTATIVES ACT. 1914, c. 20; 1915, c. 20, s. 27 am.; 1916, c. 24, s. 37 aff.; 1918, c. 19 rep.
- DITCHES AND WATERCOURSES ACT. R.S.O. 1914, c. 260; 1917, c. 56 am.; 1918, c. 47 am.
- DIVISION COURTS ACT. R.S.O. 1914, c. 63; 1914, c. 2, s. 4 am.; c. 21, s. 17 am.; 1916, c. 26 am.; 1917, c. 27, s. 20 am.; 1918, c. 20, s. 16 am.; 1920, c. 34 am.; 1921, c. 38 am.
- DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1914, c. 246; 1916, c. 56 am.; 1918, c. 46 rep.; 1919, c. 69 am.; 1920, c. 92 am.; 1921, c. 82 am.
- DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1914, c. 93.
- DOMINION COURTS ACT. R.S.O. 1914, c. 55.
- DOMINION HOSPITALS FOR SOLDIERS ACT. 1920, c. 108.
- DOMINION ORTHOPAEDIC HOSPITAL, LANDS VESTED IN CROWN. 1918, c. 20, s. 71.
- DOMINION TITLE TO INDIAN LANDS ACT. 1915, c. 12.
- DRAINAGE. *See* Ditches and Watercourses Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.
- DOWER ACT. R.S.O. 1914, c. 70.
- DWELLING HOUSES. *See* Housing Accommodation Act; Municipal Housing Act; Ontario Housing Act.

## E.

- EAST SIMCOE AGRICULTURAL SOCIETY. 1919, c. 25, s. 6.
- EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; College of Art Act; Consolidated Schools Act; Continuation Schools Act; Department of Education Act; Disqualification Act; French Scholarship Act; High Schools Act; Industrial Education Act; Industrial Schools Act; Mining Attendance Act; Ottawa Separate Schools Act; Salaries to certain officers, 1916, c. 24, s. 40; 1918, c. 20, s. 62; School Attendance Act; Schools for the Deaf and Blind Act; School Law Amendment Act; School Sites Act; Separate Schools Act; Special Classes Act; Teachers' and Inspectors' Superannuation Act; Technical Education Act; Toronto Board of Education Act; Truancy Act; University Act; University Aid Act; Upper Canada College Act; Veterinary College Act; Women's Rural School Board Qualification Act.
- EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1914, c. 235.
- ELECTIONS. *See* Election Law Amendment Act; Disqualification Act; Muni-

- cipal Act; Ontario Controverted Elections Act; Ontario Election Act; Ontario Franchise Act; Political Contributions Act; Punishment for Personation Act; Women's Assembly Qualification Act; Women's Municipal Franchise Act; Women's Municipal Qualification Act.
- ELECTION LAW AMENDMENT ACT. 1914, c. 5; 1916, c. 6; 1917, c. 5, s. 57, c. 6 am.; 1920, c. 2 am.; 1921, c. 2, s. 3 am.
- EMBALMERS AND UNDERTAKERS ACT. R.S.O. 1914, c. 174; 1914, c. 21, ss. 35-36 am.
- EMPLOYMENT AGENCIES ACT. 1914, c. 38; 1917, c. 37 rep.; 1919, c. 37 am.
- ENROLMENT OF STALLIONS. *See* Ontario Stallions Act.
- ENTRY OF HORSES AT EXHIBITION ACT. R.S.O. 1914, c. 226.
- ESCHEATS ACT. R.S.O. 1914, c. 104; 1919, c. 32, s. 3 am.
- ESTATES TAIL ACT. R.S.O. 1914, c. 113; 1914, c. 2, s. 4 am.
- ESTREATS ACT. R.S.O. 1914, c. 98.
- EVIDENCE. *See* Evidence Act; Soldiers' and Sailors' Proof of Death Act.
- EVIDENCE ACT. R.S.O. 1914, c. 76; 1916, c. 24, ss. 11-13 am.; 1917, c. 27, s. 68 am.
- EXECUTION ACT. R.S.O. 1914, c. 80; 1914, c. 21, s. 20 am.; 1915, c. 20, s. 10 am.
- EXECUTION OF TRUSTS ACT. 1916, c. 29.
- EXECUTIVE COUNCIL ACT. R.S.O. 1914, c. 13; 1918, c. 20, s. 6 am.; 1919, c. 22, s. 3 am.; 1920, c. 12, s. 3 am.
- EXEMPTION. *See* Firemen's Exemption Act.
- EXPENSES. *See* Administration of Justice Expenses Act.
- EXPORT OF PULPWOOD ACT. 1914, c. 12; 1915, c. 20, s. 4 am.; 1916, c. 24, s. 48 am.; 1919, c. 11; 1920, c. 14.
- EXTRA JUDICIAL SERVICES ACT. R.S.O. 1914, c. 57.
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- EXTRAMURAL EMPLOYMENT OF SENTENCED PERSONS ACT. 1921, c. 93.

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- FACTORS ACT. R.S.O. 1914, c. 137; 1920, c. 40, s. 59.
- FACTORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1914, c. 229; 1914, c. 2, s. 4, c. 40 am.; 1916, c. 13, s. 9 aff.; 1918, c. 44 am.; 1919, c. 64 am.; 1920, c. 86 am.; 1921, c. 76 am.
- FARM LOANS ACT. 1917, c. 25.
- FATAL ACCIDENTS ACT. R.S.O. 1914, c. 151.
- FEDERAL GRANTS FOR AGRICULTURAL PURPOSES. 1915, c. 20, s. 7 am.
- FEES. *See* Public Officers' Fees Act.
- FEMALE PATIENTS' AND PRISONERS' PROTECTION ACT. R.S.O. 1914, c. 232.
- FEMALE REFUGES ACT. R.S.O. 1914, c. 289; 1919, c. 84, rep. and sub.
- FENCES. *See* Line Fences Act; Snow Fences Act.
- FERRIES ACT. R.S.O. 1914, c. 127.
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- FIRE ACCIDENTS ACT. 1915, c. 41.
- FIRE DEPARTMENTS HOURS OF LABOUR ACT. 1920, c. 88.
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- HOSPITALS AND CHARITABLE INSTITUTIONS ACT.** R.S.O. 1914, c. 300; 1914, c. 21, s. 66 am.; 1916, c. 24, s. 46 am.; 1917, c. 27, s. 57 am.; 1919, c. 83, ss. 6-8 am.; 1920, c. 107 am.
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- JURORS ACT. R.S.O. 1914, c. 64; 1914, c. 21, ss. 18-19 am.; 1916, c. 24, ss. 8-9 am.; 1918, c. 23 am.; 1920, c. 35 am.
- JUSTICES OF THE PEACE ACT. R.S.O. 1914, c. 87; 1916, c. 24, s. 14 am.; 1917, c. 27, s. 21 am.
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- LANDLORD AND TENANT ACT. R.S.O. 1914, c. 155; 1914, c. 2, s. 4 am.
- LANDS—*Re* CERTAIN LANDS VESTED IN HIS MAJESTY IN THE RIGHT OF THE DOMINION OF CANADA. 1918, c. 20, s. 71.
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- LIQUOR TRAFFIC. *See* Liquor License Act; Liquor Transportation Act; Ontario Temperance Act; Temperance Referendum Act.
- LIQUOR TRANSPORTATION ACT. 1920, c. 80.
- LOAD OF VEHICLES ACT. 1916, c. 49; 1919, c. 59 am.; 1920, c. 75 am.
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ONTARIO FARM LOANS ACT. 1921, c. 33.

ONTARIO FRANCHISE ACT. 1917, c. 5.

ONTARIO GAME AND FISHERIES ACT. R.S.O. 1914, c. 262; 1914, c. 46 am.; 1915, c. 20, s. 23 am.; 1916, c. 60 am.; 1917, c. 27, s. 37 am.; 1918, c. 48, c. 49, c. 50, s. 7 aff.; 1919, c. 72 am.; 1920, c. 97 am.; 1921, c. 87 am.

ONTARIO HABEAS CORPUS ACT. R.S.O. 1914, c. 84.

ONTARIO HIGHWAYS ACT. 1915, c. 17, c. 20, s. 29 am.; 1916, c. 15 am.; 1917, c. 16, s. 36, c. 17, ss. 4, 5, c. 18 am.; 1918, c. 16, s. 2, c. 17 am.; 1919, c. 19 am.; 1920, c. 20, c. 21, c. 22, c. 25, s. 8 aff.

ONTARIO HOUSING ACT. 1919, c. 54, c. 25, ss. 42, 44 am.; 1920, c. 83 am.

ONTARIO INSURANCE ACT. R.S.O. 1914, c. 183; 1914, c. 30 am.; 1915, c. 20, s. 19, c. 30 am.; 1916, c. 36 am.; 1917, c. 27, ss. 28-29 am.; 1918, c. 20, ss. 32-34 am.; 1919, c. 25, ss. 23-24, 44; 1920, c. 55 am.; 1921, c. 60 am.

ONTARIO LAND SURVEYORS ACT. R.S.O. 1914, c. 165; 1914, c. 26 am.; 1917, c. 36 am.; 1919, c. 25, s. 22 am.; 1920, c. 49 am.

ONTARIO LOAN ACT. 1917, c. 3.

- ONTARIO MEDICAL ACT. R.S.O. 1914, c. 161; 1914, c. 2, s. 4 am.; 1915, c. 27 am.; 1916, c. 24, s. 24 am.; 1918, c. 20, s. 26 am.; 1919, c. 25, ss. 20-21, 44 am.
- ONTARIO MONEY LENDERS ACT. R.S.O. 1914, c. 175.
- ONTARIO NIAGARA DEVELOPMENT ACT. 1916, c. 20; 1917, c. 21 am.
- ONTARIO PAROLE ACT. 1917, c. 63; 1921, c. 92.
- ONTARIO PAWNBROKERS ACT. R.S.O. 1914, c. 176.
- ONTARIO PUBLIC SERVICE ACT. R.S.O. 1914, c. 14; 1914, c. 21, ss. 2, 71 am.; 1915, c. 20, s. 1 am.; 1917, c. 27, s. 12 am.; 1918, c. 5 am.
- ONTARIO PUBLIC SERVICE SUPERANNUATION ACT. 1920, c. 4; 1921, c. 3 am.
- ONTARIO PUBLIC TRUSTEE ACT. 1919, c. 32; 1921, c. 47 am.
- ONTARIO PUBLIC WORKS ACT. R.S.O. 1914, c. 35; 1916, c. 19, s. 5 aff.
- ONTARIO RAILWAY ACT. R.S.O. 1914, c. 185; 1914, c. 21, s. 40 am.; 1916, c. 31, s. 10 am.; 1917, c. 27, s. 31, c. 39 am.; 1918, c. 30 am.; 1919, c. 44 am.; 1920, c. 56 am.
- ONTARIO RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1914, c. 186; 1915, c. 31 am.; 1916, c. 24, ss. 25-26 am.; 1919, c. 25, ss. 25, 44 am.
- ONTARIO REFORMATORY ACT. R.S.O. 1914, c. 287; 1914, c. 51 am.; 1915, c. 20, s. 24 am.
- ONTARIO STALLION ACT. R.S.O. 1914, c. 249; 1914, c. 44 am.; 1915, c. 20, s. 22 am.
- ONTARIO SUMMARY CONVICTIONS ACT. R.S.O. 1914, c. 90; 1914, c. 2, s. 4 am., c. 21, s. 23 am.; 1917, c. 27, s. 23 am.
- ONTARIO TELEGRAPH ACT. R.S.O. 1914, c. 180.
- ONTARIO TELEPHONE ACT. R.S.O. 1914, c. 188; 1914, c. 32 am.; 1915, c. 33 am.; 1916, c. 38 am.; 1917, c. 40 am.; 1918, c. 31 rep.; 1919, c. 43 am.; 1921, c. 62 am.
- ONTARIO TEMPERANCE ACT. 1916, c. 50; 1917, c. 50 am.; 1918, c. 40 am.; 1919, c. 60, c. 61, s. 2 am.; 1920, c. 78, c. 80 am.; 1921, c. 73 am.
- ONTARIO VOTERS' LISTS ACT. R.S.O. 1914, c. 6; 1914, c. 2, s. 4, c. 5, ss. 4-5 am.; 1916, c. 5, c. 6, s. 2 am.; 1917, c. 4, c. 27, s. 2 am.; 1918, c. 3 am.; 1919, c. 25, s. 3 am.; 1920, c. 2, ss. 3, 65 aff.; 1921, c. 2.
- OPTOMETRY ACT. 1919, c. 39; 1920, c. 52 am.
- ORGANIZATION OF RESOURCES ACT. 1916, c. 4; 1917, c. 27, ss. 61-63 am.
- OSGCODE HALL. *See* Transfer of Documents to Provincial Archivist Act.
- OTTAWA SEPARATE SCHOOLS ACT. 1915, c. 45; 1916, c. 24, s. 41 am.; 1917, c. 60.
- OTTAWA SEPARATE SCHOOLS COMMISSION ACT. 1917, c. 59.

## P.

- PARENTS' MAINTENANCE ACT. 1921, c. 52.
- PARKS. *See* Burlington Beach Act; Provincial Parks Act; Public Parks Act; Queen Victoria Niagara Falls Park Act; Queenston Heights Park Act.
- PAROLE. *See* Ontario Parole Act.
- PARTITION ACT. R.S.O. 1914, c. 114.
- PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.
- PARTNERSHIP ACT. 1920, c. 41.
- PARTNERSHIP REGISTRATION ACT. R.S.O. 1914, c. 139.
- PATRIOTIC PURPOSES. *See* Act to authorize and confirm Grants by Municipal Corporations for Patriotic Purposes.
- PAWNBROKERS. *See* Ontario Pawnbrokers Act.
- PAYMENT OF INSURANCE ON LIVES OF SOLDIERS ACT. 1920, c. 61.
- PEACE PRESERVATION. *See* Public Works Peace Preservation Act.
- PETTY TRESPASS ACT. R.S.O. 1914, c. 111.
- PHARMACY ACT. R.S.O. 1914, c. 164; 1914, c. 21, s. 34 am.; 1915, c. 28 am.; 1917, c. 35 am.; 1920, c. 47 am.
- PLANNING AND DEVELOPMENT ACT. 1917, c. 44, c. 30 aff.; 1918, c. 38 rep.; 1919, c. 53 am.; 1920, c. 60 am.; 1921, c. 65 am.

- POLICE. *See* County Board of Police Commissioners; Police Constables Bail Act; Police Magistrates Act; Police Magistrates Extended Jurisdiction Act; Provincial Police Force Act.
- POLICE CONSTABLES BAIL ACT. R.S.O. 1914, c. 95.
- POLICE MAGISTRATES ACT. R.S.O. 1914, c. 88; 1914, c. 21, s. 21 am.; 1915, c. 20, s. 11 am.; 1916, c. 24, s. 15 am.; 1918, c. 20, ss. 18-20 am.; 1919, c. 25, s. 12 am.; 1921, c. 41 am., c. 42, s. 2 am.
- POLICE MAGISTRATES EXTENDED JURISDICTION ACT. 1921, c. 42.
- POLITICAL CONTRIBUTIONS ACT. 1914, c. 6.
- POOL ROOMS. *See* Minors' Protection Act; An Act to License Billiard and Pool Rooms and Bowling Alleys.
- POPLAR PULP WOOD EXPORT ACT. 1919, c. 11.
- PORCUPINE RAND BELT ELECTRIC RAILWAY. 1914, c. 21, s. 70.
- PORT ARTHUR. *See* Fort William and Port Arthur Boundaries Act; Fort William Land Titles and Registry Office Act; Statute Law Amendment Act, 1917, c. 27, s. 71 am.
- POST GRADUATE STUDY. *See* French Scholarship Act.
- POUNDS ACT. R.S.O. 1914, c. 247.
- POWER. *See* Central Ontario Power Act; Ontario Niagara Development Act; Power Commission Act; Toronto Power and Railway Purchase Act; Water Powers' Regulation Act.
- POWER COMMISSION ACT. R.S.O. 1914, c. 39; 1914, c. 16 am.; 1915, c. 19 am.; 1916, c. 19 am.; 1917, c. 20 am.; 1918, c. 14 am.; 1919, c. 16 am.; 1920, c. 18 am.; 1921, c. 20 am.
- POWERS OF ATTORNEY ACT. R.S.O. 1914, c. 106.
- PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1914, c. 237.
- PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1914, c. 301; 1916, c. 24, s. 47 am.; 1919, c. 32, s. 4, c. 83, s. 3 am.
- PRIVATE DETECTIVES ACT. R.S.O. 1914, c. 177; 1914, c. 21, s. 37 am.; 1916, c. 34 am.; 1919, c. 40 am.
- PRIVATE FOREST RESERVES ACT. 1919, c. 68.
- PRIVATE SANITARIUM ACT. R.S.O. 1914, c. 296.
- PRIVY COUNCIL APPEALS ACT. R.S.O. 1914, c. 54.
- PROHIBITION. *See* Temperance.
- PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1914, c. 101.
- PROTECTION OF BIRDS ACT. R.S.O. 1914, c. 263; 1918, c. 50, s. 7 aff.
- PROTECTION OF PURE-BRED CATTLE ACT. 1914, c. 43.
- PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1914, c. 42; 1921, c. 28 rep.
- PROVINCIAL AUCTIONEERS' LICENSE ACT. 1921, c. 57.
- PROVINCIAL HIGHWAY ACT. 1917, c. 16; 1918, c. 16, s. 2 am.; 1919, c. 17 am.; 1920, c. 23 am.; 1921, c. 27 am.
- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1914, c. 21; 1914, c. 8 am.; 1915, c. 5 am.; 1919, c. 10 am.; 1920, c. 5 am.; 1921, c. 6 am.
- PROVINCIAL PARKS ACT. R.S.O. 1914, c. 52; 1914, c. 21, s. 14 am.; 1919, c. 24 am.
- PROVINCIAL POLICE FORCE ACT. 1921, c. 45.
- PROVINCIAL STOCK. *See* Ontario Loan Act.
- PROVINCIAL WAR TAX ACT. 1915, c. 3; 1916, c. 10 am.; 1919, c. 5 am.
- PROVISIONAL COUNTY OF HALIBURTON. *See* Haliburton Act.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1914, c. 142.
- PUBLIC AUTHORITIES ACT. R.S.O. 1914, c. 89.
- PUBLIC AUTHORITIES' PROTECTION ACT. R.S.O. 1914, c. 89; 1916, c. 24, s. 16 am.; 1917, c. 27, s. 22 am.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings Act.
- PUBLIC HEALTH. *See* Health.

- PUBLIC HEALTH ACT. R.S.O. 1914, c. 218; 1914, c. 21, ss. 46-47 am.; 1915, c. 40 am.; 1916, c. 51 am.; 1917, c. 51 am.; 1918, c. 41 am.; 1919, c. 25, ss. 30, 44, c. 62 am.; 1920, c. 81; 1921, c. 74 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1914, c. 18; 1921, c. 4 am.
- PUBLIC INSTITUTIONS AMENDMENT ACT. 1919, c. 83.
- PUBLIC LANDS ACT. R.S.O. 1914, c. 28; 1914, c. 2, s. 4 am.; 1915, c. 20, s. 3 am.; 1916, c. 11, s. 5 am.; 1917, c. 10 am.; 1920, c. 12, ss. 6, 8 am.; 1921, c. 15 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1914, c. 202; 1916, c. 45 am.; 1919, c. 25, ss. 26-29 am.; 1920, c. 69 rep. and sub.
- PUBLIC OFFICERS ACT. R.S.O. 1914, c. 15; 1914, c. 2, s. 4 am.
- PUBLIC OFFICERS' FEES ACT. R.S.O. 1914, c. 17; 1914, c. 2, s. 4 am., c. 21, s. 5 am.; 1915, c. 20, s. 2 am.; 1917, c. 27, ss. 4-5 am.
- PUBLIC PARKS ACT. R.S.O. 1914, c. 203; 1914, c. 2, s. 4 am.; 1920, c. 70 am.; 1921, c. 71 am.
- PUBLIC REVENUE ACT. R.S.O. 1914, c. 22.
- PUBLIC SCHOOLS ACT. R.S.O. 1914, c. 266; 1914, c. 21, ss. 55-57 am.; 1916, c. 24, ss. 35-36, 40 am.; 1917, c. 27, ss. 41-46 am., c. 57 am.; 1918, c. 51, s. 3, s. 5, c. 52 am.; 1919, c. 6, c. 73, ss. 7-16, c. 75, ss. 2, 6, c. 76 am.; 1920, c. 99 ss. 11, 13, c. 100 rep.; 1921, c. 89, ss. 4-10 am.
- PUBLIC SERVICE. *See* General Purchasing Agents Act; Ontario Public Service Act; Ontario Public Service Superannuation Act; Public Officers Act; Public Officers' Fees Act.
- PUBLIC TRUSTEE. *See* Ontario Public Trustee Act.
- PUBLIC UTILITIES ACT. R.S.O. 1914, c. 204; 1914, c. 2, s. 4, c. 35 am.; 1916, c. 24, s. 29 am.; 1917, c. 14, s. 13, c. 47 am.; 1920 c. 71, c. 73 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1914, c. 189.
- PUBLIC VEHICLES ACT. 1920, c. 76.
- PUBLIC WORKS. *See* Ontario Public Works Act.
- PUBLIC WORKS PEACE PRESERVATION ACT. R.S.O. 1914, c. 36.
- PULPWOOD. *See* Export of Pulpwood Act; Poplar Pulpwood Export Act; Pulpwood Export Act.
- PULPWOOD EXPORT ACT. 1920, c. 14.
- PUNISHMENT FOR PERSONATION ACT. R.S.O. 1914, c. 9; 1917, c. 6, s. 18 am.
- PURCHASE OF TIMBER LIMITS OF THE PEMBROKE LUMBER COMPANY. 1914, c. 13.
- PURE-BRED CATTLE. *See* Protection of Pure-Bred Cattle Act.

## Q.

- QUEEN VICTORIA NIAGARA FALLS PARK ACT. R.S.O. 1914, c. 50; 1914, c. 2, s. 4 am.; 1915, c. 14 am.; 1917, c. 27, s. 16 am.; 1920, c. 31 am.
- QUEENSTON HEIGHTS PARK ACT. R.S.O. 1914, c. 51.
- QUIETING TITLES ACT. R.S.O. 1914, c. 123.

## R.

- RADIAL. *See* Railways.
- RADIUM ACT. 1914, c. 15; 1920, c. 12, s. 11 aff.
- RAILWAYS. *See* Guelph Railway Act; Hydro-Electric Railway Act; Ontario Railway Act; Ontario Railway and Municipal Board Act; Railway Employees Voting Act; Toronto Power and Railway Purchase Act; Toronto Radial Railway Act.
- RAILWAY EMPLOYEES VOTING ACT. 1918, c. 33; 1920, c. 62 am.
- RECEPTION HOSPITAL FOR THE INSANE ACT. 1914, c. 54; 1919, c. 83, s. 4 am.
- REDEMPTION OF GOVERNMENT STOCK. *See* Ontario Loan Act.
- REFINING OF METALS. *See* Metal Refining Bounty Act.
- REFORESTATION. *See* Counties Reforestation Act.

- REFORESTATION ACT. 1921, c. 19.
- REFORMATORY. *See* Ontario Reformatory Act.
- REGISTRATION. *See* Land Titles Act; Manhood Suffrage Registration Act; Partnership Registration Act; Registry Act; Statute Law Amendment Act. 1918, c. 20, s. 70; 1919, c. 25, s. 37.
- REGISTRY ACT. R.S.O. 1914, c. 124; 1914, c. 23 am.; 1915, c. 6, s. 4, c. 20, s. 13 am.; 1916, c. 11, s. 5 aff.; c. 24, s. 20 am.; 1917, c. 27, ss. 25-27 am., c. 30, c. 32 am.; 1918, c. 27 am.; 1919, c. 25, ss. 16-19 am.; 1921, c. 49 am.
- RELIGIOUS INSTITUTIONS ACT. R.S.O. 1914, c. 286; 1920, c. 106 am.
- REPLEVIN ACT. R.S.O. 1914, c. 69; 1920, c. 37 am.
- REPRESENTATION ACT. R.S.O. 1914, c. 5; 1914, c. 4 rep., 1915, c. 2 am.; 1919 c. 33, s. 2 am.
- RETURNED SOLDIERS' AND SAILORS' LAND SETTLEMENT ACT. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.
- REVENUE. *See* An Act for Raising Money on the Credit of the Consolidated Revenue Fund of Ontario; Consolidated Revenue Fund Act; Public Revenue Act.
- RIOTS. *See* Public Works Peace Preservation Act.
- RIVERS. *See* Beach Protection Act; Rivers and Streams Act.
- RIVERS AND STREAMS ACT. R.S.O. 1914, c. 130; 1915, c. 15.
- ROAD CONSTRUCTION. 1917, c. 27, s. 70.
- ROADS. *See* Highways.
- ROYAL ONTARIO MUSEUM ACT. R.S.O. 1914, c. 285; 1914, c. 50 am.; 1920, c. 12, s. 10 aff.
- RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. 1921, c. 21.

## S.

- SALARIES TO CERTAIN OFFICERS. 1918, c. 20, ss. 62, 64.
- SALE OF GOODS ACT. 1920, c. 40.
- SALES. *See* Bulk Sales Act; Milk Sales Act; Sale of Goods Act.
- SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1914, c. 298; 1914, c. 56 am.; 1916, c. 24, s. 45 am.; 1917, c. 27, s. 56 am.; 1918, c. 20, s. 51 am.; 1919, c. 83, s. 13 am.; 1920, c. 109 am.
- SAW LOGS. *See* Ontario Cullers Act; Saw Logs Driving Act.
- SAW LOGS DRIVING ACT. R.S.O. 1914, c. 131; 1914, c. 2, s. 4 am.
- SCHOOLS. *See* Education.
- SCHOOL ATTENDANCE ACT. 1919, c. 77; 1921, c. 89, ss. 19-26 am.
- SCHOOL LAW AMENDMENT ACT. 1915, c. 43; 1916, c. 24, s. 39 am.; 1917, c. 27, s. 48 am.; 1918, c. 51 am.; 1919, c. 73 am.; 1920, c. 99 am.; 1921, c. 89 am., c. 90, s. 18 am.
- SCHOOL SITES ACT. R.S.O. 1914, c. 277; 1919, c. 73, s. 19 am.; 1920, c. 99, ss. 8-9 am.; 1921, c. 91 am.
- SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1914, c. 278.
- SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1914, c. 273.
- SEDUCTION ACT. R.S.O. 1914, c. 72.
- SEPARATE SCHOOLS ACT. R.S.O. 1914, c. 270; 1914, c. 2, s. 4 am.; 1916, c. 24, s. 40 am.; 1917, c. 27, s. 51 am.; 1919, c. 6, c. 73, s. 18 am.; 1920, c. 101 am.
- SETTLED ESTATES ACT. R.S.O. 1914, c. 74.
- SHEEP. *See* Dog Tax and Sheep Protection Act.
- SHERIFFS ACT. R.S.O. 1914, c. 16; 1914, c. 21, ss. 3-4 am.; 1918, c. 20, ss. 7-8 am.
- SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1914, c. 115.
- SHORT FORMS OF LEASES ACT. R.S.O. 1914, c. 116.
- SHORT FORMS OF MORTGAGES ACT. R.S.O. 1914, c. 117.
- SHOWS. *See* Travelling Shows Act.
- SNOW FENCES ACT. R.S.O. 1914, c. 211; 1916 c. 48 am.

SNOW ROADS ACT. R.S.O. 1914, c. 208.

SOLDIERS. *See* An Act to confer Certain Provisions respecting Hospitals on the Lieutenant-Governor in Council; Payment of Insurance on Lives of Soldiers Act; Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act; Soldiers' Children's Protection Act; Soldiers' and Sailors' Proof of Death Act.

SOLDIERS' AID COMMISSION ACT. 1916, c. 3; 1917, c. 27, s. 60 am.; 1919, c. 25, ss. 34-44 am.; 1920, c. 29 am.

SOLDIERS' CHILDREN'S PROTECTION ACT. 1920, c. 29.

SOLDIERS' AND SAILORS' PROOF OF DEATH ACT. 1919, c. 30; 1921, c. 40 am.

SOLEMNIZATION OF MARRIAGE. *See* Marriage Act.

SOLICITORS ACT. R.S.O. 1914, c. 159; 1920, c. 45 am.

SPECIAL CLASSES ACT. R.S.O. 1914, c. 272; 1914, c. 49, s. 14 rep.

STATIONARY ENGINEERS ACT. R.S.O. 1914, c. 170; 1914, c. 28 am.; 1915, c. 20, s. 17 am.; 1916, c. 13, s. 9 aff.; 1919, c. 37 rep. and sub.

STATIONARY AND HOISTING ENGINEERS ACT. 1919, c. 37; 1920, c. 50 am.; 1921, c. 56 am.

STATUTE OF FRAUDS. R.S.O. 1914, c. 102; 1916, c. 24, s. 19 am.; 1918, c. 20, s. 58 am.; 1920, c. 40, s. 59 am.

STATUTE LABOUR ACT. R.S.O. 1914, c. 196; 1916, c. 42 am.; 1917, c. 46 am.; 1918, c. 35 am.; 1920, c. 65 am.; 1921, c. 69 am.

STATUTES ACT. R.S.O. 1914, c. 2; 1918, c. 20, ss. 1-2 am.

STEAM BOILER ACT. R.S.O. 1914, c. 252; 1916 c. 13, s. 9 aff., c. 58 am.; 1918, c. 20, ss. 45-46 am

STEAM THRESHING ENGINES ACT. R.S.O. 1914, c. 251.

STENOGRAPHIC REPORTERS ACT. R.S.O. 1914, c. 168.

SUBURBAN AREAS. *See* City and Suburbs Plans Act; Planning and Development Act; Suburban Area Development Act.

SUBURBAN AREA DEVELOPMENT ACT. 1921, c. 66.

SUCCESSION DUTY ACT. R.S.O. 1914, c. 24; 1914, c. 2, s. 4, c. 10 am.; 1915, c. 7 am.; 1916, c. 7 am.; 1917, c. 27, ss. 7-8 am.; 1918, c. 6 am.; 1919, c. 9 am.; 1920, c. 8 am.; 1921, c. 10 am.

SUDBURY, OTTAWA AND PRESCOTT HIGHWAY. 1915, c. 20, s. 29.

SUMMARY CONVICTIONS. *See* Ontario Summary Convictions Act.

SUPERANNUATION—ONTARIO PUBLIC SERVICE SUPERANNUATION. *See* Teachers' and Inspectors' Superannuation Act.

SURROGATE COURTS ACT. R.S.O. 1914, c. 63; 1914, c. 2, s. 4 am.; 1916, c. 28 am.; 1917, c. 28 am.; 1918, c. 22 am.; 1919, c. 27 am.; 1920, c. 33 am.; 1921, c. 47, ss. 4-5 am.

SURVEYS ACT. R.S.O. 1914, c. 166; 1914, c. 27 am.; 1915, c. 29 am.; 1920, c. 48 rep. and sub.

SURVEYORS. *See* Ontario Land Surveyors Act.

SWARMS OF BEES ACT. R.S.O. 1914, c. 107.

## T.

TAX ON REGISTRATION OF MORTGAGES. 1918, c. 20, s. 70; 1919, c. 25, s. 37 am.

TAXATION. *See* Amusements Tax Act; Corporations Tax Act; Department of Mines Act; Land Transfers Tax Act; Mining Tax Act; Provincial Loan Tax Act.

TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. 1917, c. 58; 1918, c. 51; ss. 6-11, 13 am.; 1919, c. 74 am.; 1920, c. 99, s. 10 am.; 1921, c. 89, ss. 17-18 am.

TECHNICAL EDUCATION. *See* Industrial Education; Technical Education Act.

TECHNICAL EDUCATION—SALARY OF DIRECTOR. 1918, c. 20, s. 62.

TECHNICAL EDUCATION ACT. 1920, c. 102.

TELEGRAPH. *See* Ontario Telegraph Act.

- TELEPHONE. *See* Ontario Telephone Act; Telephone Amendment Act.
- TELEPHONE AMENDMENT ACT. 1915, c. 33.
- TEMISKAMING COURTS ACT. 1921, c. 39.
- TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1914, c. 38; 1914, c. 2, s. 4 am.; 1915, c. 20, ss. 5-6 am.; 1917, c. 27, s. 13 am.; 1918, c. 20, s. 9 am.; 1919, c. 25, s. 5 am.; 1920, c. 17.
- TEMPERANCE. *See* Ontario Temperance Act; Temperance Referendum Act.
- TEMPERANCE REFERENDUM ACT. 1919, c. 61.
- TERRITORIAL DIVISIONS ACT. R.S.O. 1914, c. 3; 1914, c. 2, s. 4, c. 3 am.; 1917, c. 27, s. 1 am.
- THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1914, c. 236; 1914, c. 21, s. 53 am.; 1915, c. 20, s. 21 am.; 1916, c. 24, ss. 31-32 am.; 1917, c. 27, ss. 34-35 am.; 1918, c. 20, ss. 43-44 am.; 1919, c. 66 am.
- THRESHING MACHINES. *See* Steam Threshing Machines Act. Threshing Machines Act.
- THRESHING MACHINES ACT. R.S.O. 1914, c. 238.
- TICKET SPECULATION ACT. 1914, c. 39.
- TILE DRAINAGE ACT. R.S.O. 1914, c. 44; 1914, c. 18; 1916, c. 23 am.; 1917, c. 24 am.; 1918, c. 20, s. 10 am.; 1920, c. 26 am.
- TIMBER LIMITS. *See* Purchase of Timber Limits of the Pembroke Lumber Company Act.
- TIMBER SLIDE COMPANIES ACT. R.S.O. 1914, c. 181; 1921, c. 59 am.
- TIMMINS—DEBENTURES OF SEPARATE SCHOOL BOARD. 1917, c. 27, s. 69; 1918, c. 20, s. 59 am.
- TINY—TOWNSHIP OF, AUTHORIZED TO PURCHASE LANDS FROM CROWN. 1916, c. 24, s. 52.
- TISDALE. *See* Municipal Debentures Guarantee Act.
- TOLL ROADS ACT. R.S.O. 1914, c. 210; 1919, c. 58 am.
- TOLLS EXEMPTION ACT. R.S.O. 1914, c. 209.
- TORONTO BOARD OF EDUCATION ACT. 1915, c. 44.
- TORONTO CONSERVATORY OF MUSIC—AGREEMENT WITH UNIVERSITY OF TORONTO. 1919, c. 79.
- TORONTO GENERAL HOSPITAL ACT. R.S.O. 1914, c. 299; 1918, c. 20, ss. 52-53 am.
- TORONTO AND HAMILTON HIGHWAY COMMISSION ACT. 1915, c. 18; 1916, c. 16 am.; 1917, c. 19 am.; 1918, c. 18 am.; 1919, c. 20 am.; 1920, c. 24 am.; 1921, c. 26 am.
- TORONTO POWER AND RAILWAY PURCHASE ACT. 1921, c. 23.
- TORONTO RADIAL RAILWAY ACT. 1921, c. 24.
- TORONTO AND YORK CROWN ATTORNEYS ACT. 1921, c. 44.
- TOWN SITES ACT. R.S.O. 1914, c. 34.
- TRACTION ENGINES ACT. R.S.O. 1914, c. 212; 1916, c. 49, s. 9 am.
- TRADE DISPUTES ACT. R.S.O. 1914, c. 145.
- TRADES AND LABOUR BRANCH ACT. 1916, c. 13; 1917, c. 15 am.; 1918, c. 20, s. 56 am.; 1919, c. 22 am.; 1921, c. 77 am.
- TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.
- TRANSFER OF RECORDS TO PROVINCIAL ARCHIVIST. 1916, c. 25.
- TRAVELLING SHOWS ACT. R.S.O. 1914, c. 214; 1914, c. 21, s. 45 am.; 1915, c. 20, s. 20 am.; 1920, c. 77 am.
- TREE PLANTING ACT. R.S.O. 1914, c. 213.
- TRUANCY ACT. R.S.O. 1914, c. 274; 1914, c. 21, ss. 62-63 am.; 1917, c. 27, ss. 52-54 am.; 1919, c. 77 am.
- TRUSTEE ACT. R.S.O. 1914, c. 121; 1914, c. 21, ss. 28, 67 am.; 1915, c. 20, s. 15 am.; 1916, c. 28, c. 29 am.; 1918, c. 20, s. 23 am.; 1919, c. 31, c. 32, s. 10 am.; 1921, c. 47, s. 7, c. 48 am.
- TRUST CORPORATIONS. *See* Loan and Trust Corporations Act.

## U.

- UNIVERSITY ACT. R.S.O. 1914, c. 279; 1914, c. 21, s. 64 am.; 1916, c. 63 am.; 1918, c. 20, s. 50, c. 53 am.; 1919, c. 79.
- UNIVERSITY AID ACT. 1918, c. 53.
- UNIVERSITY OF TORONTO—AGREEMENT WITH TORONTO CONSERVATORY OF MUSIC. 1919, c. 79.
- UPPER CANADA COLLEGE ACT. R.S.O. 1914, c. 280; 1916, c. 24, s. 43 am.; 1918, c. 54 am.; 1919, c. 80 am.

## V.

- VACANT LAND CULTIVATION ACT. 1918, c. 39; 1919, c. 56 am.; 1920, c. 66 rep.
- VACCINATION ACT. R.S.O. 1914, c. 219.
- VEHICLES. *See* Public Vehicles Act.
- VENDORS AND PURCHASERS ACT. R.S.O. 1914, c. 122.
- VENEREAL DISEASES PREVENTION ACT. 1918, c. 42; 1920, c. 82 am.
- VETERANS LAND GRANT ACT. 1901, c. 6.
- VETERANS LAND GRANT AMENDMENT ACT. 1920, c. 15.
- VETERINARY COLLEGE ACT. R.S.O. 1914, c. 282; 1919, c. 81 am.
- VETERINARY SCIENCE PRACTICE ACT. 1920, c. 51.
- VETERINARY SURGEONS ACT. R.S.O. 1914, c. 171; 1918, c. 20, s. 27 am.; 1920, c. 51 rep. and sub.
- VEXATIOUS ACTIONS. *See* Public Authorities Protection Act.
- VITAL STATISTICS ACT. R.S.O. 1914, c. 49; 1919, c. 23, rep. and sub.
- VOCATIONAL EDUCATION ACT. 1921, c. 90.
- VOTERS' LISTS. *See* Ontario Voters' Lists Act.

## W.

- WAGES ACT. R.S.O. 1914, c. 143; 1920, c. 42 am.
- WAGES ON PUBLIC WORKS. *See* Public and Other Works Wages Act.
- WAGES, WOMEN AND GIRLS. *See* Minimum Wage Act.
- WALKERTON AGRICULTURAL SOCIETY. *See* Agricultural Societies Act.
- WAR TAX. *See* Provincial War Tax Act.
- WATER POWERS REGULATION ACT. 1916, c. 21; 1917, c. 22 am.; 1918, c. 20, s. 57 am.; 1920, c. 19 am.
- WATER PRIVILEGES ACT. R.S.O. 1914, c. 129.
- WHARFS AND HARBOURS ACT. R.S.O. 1914, c. 182.
- WHITNEY. *See* Act to provide for the payment of an annuity to Alice, Lady Whitney.
- WILLS ACT. R.S.O. 1914, c. 120; 1914, c. 21, s. 27 am.; 1919, c. 25, s. 15, c. 29 am.
- WITNESSES. *See* Evidence Act.
- WIVES. *See* Deserted Wives Maintenance Act; Dower Act.
- WOLF BOUNTY ACT. R.S.O. 1914, c. 264; 1916, c. 61 am.; 1918, c. 20, s. 48 am.; 1920, c. 98 am..
- WOMEN'S ASSEMBLY QUALIFICATION ACT. 1919, c. 8.
- WOMEN'S MUNICIPAL FRANCHISE ACT. 1917, c. 43.
- WOMEN'S MUNICIPAL QUALIFICATION ACT. 1919, c. 47.
- WOMEN'S RURAL SCHOOL BOARD QUALIFICATION ACT, 1919, c. 76.
- WOODMAN'S LIEN FOR WAGES ACT. R.S.O. 1914, c. 141.
- WORKMEN'S COMPENSATION ACT. 1914, c. 25; 1915, c. 24 am.; 1916, c. 31 am.; 1919, c. 34 am.; 1920, c. 43 am.
- WORKMEN'S COMPENSATION INSURANCE ACT. 1915, c. 25.
- WORKMEN'S COMPENSATION FOR INJURIES ACT. R.S.O. 1914, c. 146; 1914, c. 25 rep. and sub.

## Y.

- YARMOUTH AND BELMONT AGRICULTURAL SOCIETY. *See* Agricultural Societies Act.
- YORK, COUNTY OF, HIGHWAY IMPROVEMENT PLAN FOR. 1918, c. 20, s. 69.







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